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**Summary of Administrative Review Board Proceedings for ISN 943**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

Presiding Officer: Good morning, sir. Do you pronounce your name Abdul Ghani?

Detainee (through translator): Yes.

Presiding Officer: Welcome.

*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 his statement under oath (Muslim oath offered).*

*The Detainee declined 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 27 November 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. The Detainee was cooperative and polite during the entire interview. Copies of the English and Pashtu

ISN 943  
Enclosure (4)  
Page 1 of 16

00002649

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

translated Unclassified Summary of Evidence were provided to the Detainee, who declined both copies.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3 to the Administrative Review Board.*

*The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wished to respond to Unclassified Summary of Evidence.*

Presiding Officer: The Designated Military Officer will read each factor from the Unclassified Summary; then the Assisting Military Officer will read your response from the EC-B; and then you may respond further if you wish; and then members may ask you questions based on your response. Do you know we are going to also read the response from the Enemy Combatant Election Form?

Detainee (through translator): Correct.

Presiding Officer: And you know we may ask questions?

Detainee (through translator): Yes.

Presiding Officer: Thank you. Designated Military Officer, please summarize the Unclassified Summary of Evidence.

Designated Military Officer: (3.a.1) Pocket litter found on the Detainee during capture describes the Detainee as a most trustworthy and very good Mujahedin.

Assistant Military Officer: In response to this statement, the Detainee disagreed. The Detainee stated that no pocket litter was found on him.

Detainee (through translator): There was no pocket litter with me to be found.

Presiding Officer: So you were not carrying anything? No identification, no money, nothing?

Detainee (through translator): No. There was nothing with me.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.2) A source stated that they had several reports which indicated that a senior Taliban leader and the Detainee entered various villages, held individuals at gunpoint, and preached jihad against the illegitimate Afghanistan government and the Americans.

ISN 943  
Enclosure (4)  
Page 2 of 16

UNCLASSIFIED//~~FOUO~~

00002650

2650

UNCLASSIFIED//~~FOUO~~

Assistant Military Officer: In response to this statement, the Detainee disagreed. The Detainee said that his is not true and did not happen.

Detainee (*through translator*): I am not aware of this thing. I have not associated with anybody; to force people by gunpoint; to preach jihad.

Presiding Officer: Do you support the current Afghan government under President Karzai?

Detainee (*through translator*): I have nothing to do with the government; and I have no business with the government; I do not know about the government.

Presiding Officer: Thank you.

Member: Did you ever see anyone preaching jihad or did your family ever speak of it?

Translator: Pardon me, sir?

Member: Did you ever see anyone preaching jihad in your village or did your family speak of it?

Detainee (*through translator*): No.

Designated Military Officer: (3.a.3) A source stated the Detainee and the same senior Taliban leader traveled to various towns on motorcycles attempting to recruit or force people to fight jihad.

Assistant Military Officer: In response to this statement, the Detainee disagreed and said that he has not spread any word to fight jihad. The Detainee stated that the only other associate he had was his brother.

Detainee (*through translator*): I have not done any jihad and I have not preached any jihad. The day that I was captured, my brother was with me. My brother is not any commandant and I have not seen him doing this kind of duty or this kind of job.

Presiding Officer: Was your brother a member of the Taliban?

Detainee (*through translator*): I do not know. I do not know if he was or not.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.4) A source stated the Detainee had been identified as being the assistant to the senior Taliban leader responsible for facilitating recruiting.

ISN 943  
Enclosure (4)  
Page 3 of 16

UNCLASSIFIED//~~FOUO~~

00002651

2651

UNCLASSIFIED//~~FOUO~~

Assistant Military Officer: In response to this statement, the Detainee disagreed and said that he does not know any high ranking Taliban leaders.

Detainee (*through translator*): I do not know anybody, who was a commander of Taliban or a leader. I have no friendship with none of them. I do not know this man. I did not become his friend. I do not know.

Designated Military Officer: (3.a.5) The Detainee admitted that the maddrassa that he attended taught jihad against Americans.

Assisting Military Officer: In response to this statement, the Detainee disagreed and stated that he never made this statement. The Detainee asked, "Where did this statement come from?"

Detainee (*through translator*): Yes. This is my answer. I have not said these words.

Presiding Officer: What was the name of the maddrassa?

Detainee (*through translator*): I do not know the exact name of the maddrassa, but the maddrassa was in the name of a man, Hafez Tajuddin.

Member: What did this maddrassa teach?

Detainee (*through translator*): Koran.

Designated Military Officer: (3.a.6) The Detainee stated he was Taliban and was in the mountains with approximately 80 other Taliban.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that he did not say this.

Detainee (*through translator*): I have not said this statement. I have not mentioned this statement.

Presiding Officer: Do you know the existence of such a force? Did you know that a force of that kind existed at that time?

Detainee (*through translator*): No.

Designated Military Officer: (3.a.7) A source stated the Detainee was a member of a formal group that was responsible for invigorating and spreading Taliban propaganda.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said, "This is an incorrect report." The Detainee stated that he has not been with any groups

ISN 943  
Enclosure (4)  
Page 4 of 16

UNCLASSIFIED//~~FOUO~~

00002052

2652

UNCLASSIFIED//~~FOUO~~

and has no friends or relations with any groups. The Detainee said that he is not a member of any group.

Detainee (*through translator*): Yes. This answer is correct.

Member: Are you aware of any such groups operating in Afghanistan?

Detainee (*through translator*): No.

Designated Military Officer: (3.a.8) A source stated the Detainee was a Taliban member and saw him in Speenboldak, Afghanistan.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said, "This is a wrong report."

Detainee (*through translator*): I am not aware of this statement.

Designated Military Officer: (3.a.1) Three separate sources identified the Detainee as the executive assistant to a senior Taliban leader.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said, "This is a wrong report."

Detainee (*through translator*): Yes, that is true.

Presiding Officer: Do you have any idea who would give this information against you?

Detainee (*through translator*): I do not have any idea who had done it, who gave the report, but whoever gave the report gave the wrong report.

Member: Are you saying that you do not know about the Taliban?

Detainee (*through translator*): No.

Member: The Taliban controlled all of Afghanistan. You have never heard of the Taliban?

Detainee (*through translator*): No.

Member: You are from Speenboldak, right?

Detainee (*through translator*): Yes.

ISN 943  
Enclosure (4)  
Page 5 of 16

UNCLASSIFIED//~~FOUO~~

00002053

2653

UNCLASSIFIED//~~FOUO~~

Designated Military Officer: (3.a.2) An additional source identified the Detainee as the assistant to the same senior Taliban leader.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said, "This is also a wrong report."

Detainee (*through translator*): That is the same.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.3) Pocket litter found on the Detainee, during capture, directly linked him as a courier for the senior Taliban leader.

Assisting Military Officer: In response to this statement, the Detainee disagreed and repeated his statement that no pocket litter was found on him when he was captured.

Detainee (*through translator*): Nobody found anything like this with me and I have not seen it.

Designated Military Officer: (3.a.1) A source stated he received information that a reward was made by the senior Taliban leader offering 2.5 million Rupees for the Detainee's release. The source also indicated that he had not heard of any rewards offered for low-level individuals.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said, "This is not true."

Detainee (*through translator*): This statement had been prepared after I had been captured as a prisoner. I do not know. I do not have anybody to care about me being in prison to spend that amount of money.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.2) The Detainee stated he knows the Taliban leader as being in charge of the compound in Adi Ghar, Afghanistan. The Detainee stated he knows the individual because the Taliban leader is from his village.

Assisting Military Officer: In response to this statement, the Detainee disagreed and stated that he did not say this. The Detainee said that this kind of person does not live in his village and he does not know of any person like this.

Detainee (*through translator*): There is nobody like this in my village and I have not heard of his name.

ISN 943  
Enclosure (4)  
Page 6 of 16

UNCLASSIFIED//~~FOUO~~

00002654

2654

UNCLASSIFIED//~~FOUO~~

Member: Do any Taliban leaders live near your village?

*Detainee (through translator):* I do not have any information about it.

*Designated Military Officer: (3.a.3)* A United States Armed Forces member stated the Detainee directed them to the exact location in the Adi Ghar Mountains, Afghanistan, where the terrorist cell was operating, and added the location would not have been found if the Detainee had not taken them there.

*Assisting Military Officer:* In response to this statement, the Detainee disagreed and said that he did not show this place to anyone and he does not know where it is.

*Detainee (through translator):* I am not aware of it.

*Presiding Officer:* United States armed forces have identified you as providing them the information to the location of the complex. Are you saying that is totally false?

*Detainee (through translator):* They asked me, "Where your brother brought you from, where is that place?" So then I showed that place to them.

*Presiding Officer:* So this statement is true?

*The Board recessed to resolve administrative issues.*

*The Board reconvened.*

*Presiding Officer:* We had a minor administrative issue, which was resolved. We will continue with your answer. So this allegation is true? You told them where the location was?

*Detainee (through translator):* I showed them the place, but there was nobody there. The people there, talking about these kinds of people, were not there.

*Presiding Officer:* So you showed them the location where you went to pick up your brother; is that correct?

*Detainee (through translator):* Yes. I showed the place where I picked up my brother.

*Presiding Officer:* What was your brother doing there?

*Detainee (through translator):* I do not (know) what my brother's business was or what he was doing, but my father told me to, "Go there and bring your brother." And I brought my brother.

ISN 943  
Enclosure (4)  
Page 7 of 16

UNCLASSIFIED//~~FOUO~~

00002655  
2655

UNCLASSIFIED//~~FOUO~~

Presiding Officer: How did your father know where your brother was located?

Detainee (*through translator*): I have not asked my father, "How do you know or what do you know?"

Member: How did you locate your brother?

Detainee (*through translator*): The direction that my father gave me. I went to that direction and I found my brother.

Member: And your brother was alone?

Detainee (*through translator*): Yes.

Presiding Officer: And this was in the Adi Ghar Mountains?

Detainee (*through translator*): Yes.

Member: Did your brother tell you what he was doing?

Detainee (*through translator*): No. He had not said.

Member: Your brother did not speak of any training?

Detainee (*through translator*): No. He had not said anything to me.

Presiding Officer: Did your brother have any weapons?

Detainee (*through translator*): Yes. He had one rifle.

Member: Did he say why he had the rifle?

Detainee (*through translator*): No. He had not told me.

Member: Thank you.

Designated Military Officer: (3.a.4) The Detainee admitted he had been living with his brother in the mountain complex for two to four weeks and that various training had been underway up there. The Detainee provided extensive detail regarding the mountain complex.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that he never made this statement and has not spent any time there to see anything.

ISN 943  
Enclosure (4)  
Page 8 of 16

UNCLASSIFIED//~~FOUO~~

00002056

2656



UNCLASSIFIED//~~FOUO~~

Detainee (*through translator*): Yes, that is true. I had not spent any time over there and I had not seen anything over there. I had only seen my brother. I had not seen anybody else or anything else.

Member: When you found your brother, where was he physically located? Was he in a cave, etcetera?

Detainee (*through translator*): When I went to that location, I saw a guy. He said, "What do you want?" I said, "I came for my brother." He said, "You sit down here. I will call him." Then, after a while, my brother came.

Presiding Officer: So there were other people in this area?

Detainee (*through translator*): I had not seen any other people, but I saw this guy.

Member: How did this guy know your brother?

Detainee (*through translator*): I had not asked the question with that man, "How do you know my brother?"

Designated Military Officer: (3.a.5) A source stated the complex was exactly how the Detainee laid it out, including locations of food and supplies, weapons caches, tunnels and storage areas, and defensive positions.

Assisting Military Officer: In response to this statement, the Detainee disagreed and stated, "This is not true." He did not give any information like this and did not tell anyone anything like this.

Detainee (*through translator*): Except my brother, I had not seen anything to show them. I did not see anything to show them.

Presiding Officer: So the only information you provided was the location where you found your brother?

Detainee (*through translator*): The only thing I had done was that I showed them that place. The rest, I do not know what had been going on there and I have no information about any other stuff.

Presiding Officer: The other person you met there, at that location when you went and got your brother, was he carrying a weapon?

Detainee (*through translator*): Yes.

Presiding Officer: Do you think he was guarding something?

ISN 943  
Enclosure (4)  
Page 9 of 16

UNCLASSIFIED//~~FOUO~~

00002657

2657

UNCLASSIFIED//~~FOUO~~

Detainee (*through translator*): I did not ask him any questions. I just asked him that my brother's name is Abdul Bari. He said, "Just sit down here," and he brought my brother.

Presiding Officer: So, obviously, your brother was living there, in that area, for a while.

Detainee (*through translator*): Whatever he was going, I am not aware of.

Designated Military Officer: (3.a.6) When captured, the Detainee was found to be in possession of a strip map and a supply list.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that he does not remember anyone taking anything from him.

Detainee (*through translator*): The things that you are mentioning here, layouts, or any map, or something, no, I did not have these; any list or anything, I did not have them.

Designated Military Officer: (3.a.7) When captured, the Detainee said, "Please do not kill me. The rest are in the mountains. I will show you where they are at."

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that he did not say this.

Detainee (*through translator*): I did not say this statement to them.

Presiding Officer: Can you tell us the circumstances of your capture?

Detainee (*through translator*): Yes, I can tell you. Me and my brother were riding a bicycle. My brother was driving the bicycle and then we went to the side and we rolled over. Then the Americans said, "Stop," and then I stopped. And that is the story.

Presiding Officer: Why did they capture you? What did you do wrong?

Detainee (*through translator*): Ask them why they captured me.

Presiding Officer: Well, I am asking you.

Detainee (*through translator*): I do not know. I have not asked them as to why you guys captured me.

Presiding Officer: Was there any shots fired during this capture?

Detainee (*through translator*): Yes. Americans shot toward my brother.

ISN 943  
Enclosure (4)  
Page 10 of 16

UNCLASSIFIED//~~FOUO~~

00002058

2658

UNCLASSIFIED//~~FOUO~~

Presiding Officer: What was the reason for them firing at your brother?

Detainee (*through translator*): I do not know the reason. I do not know what the reason was.

Member: You do not know why they would shoot at your brother and not you?

Detainee (*through translator*): I do not know.

Member: What did you say to U.S. forces immediately after your capture?

Detainee (*through translator*): I have not said anything to them.

Member: The U.S. forces did not question you?

Detainee (*through translator*): No.

Member: But you just told us that you showed them where they came from.

Detainee (*through translator*): They captured me, tied my hands, and said, "Where you came from, go there."

Member: So they did question you?

Detainee (*through translator*): They put me in their car and said, "Lead us there."

Member: That was all they asked of you?

Detainee (*through translator*): No. There is nothing else.

Designated Military Officer: (3.a.8) A translation of four letters found on the Detainee and his brother were signed by the senior Taliban leader requesting assistance for food, clothing and supplies. The letters stated to give the Detainee the money and supplies.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that he was not aware of this because no one took anything from him.

Detainee (*through translator*): There were nothing like this with me.

Designated Military Officer: (3.a.9) Documents found on individuals killed in the caves had the Detainee's name on them with various Rupee amounts.

Assisting Military Officer: In response to this statement, the Detainee disagreed and said that this is completely wrong and he was not aware of this.

ISN 943  
Enclosure (4)  
Page 11 of 16

UNCLASSIFIED//~~FOUO~~

00002659  
2659

UNCLASSIFIED//~~FOUO~~

Detainee (*through translator*): Yes, that is correct. I am not aware of this statement.

Designated Military Officer: (4.a) The Detainee stated he told the truth in Bagram, Afghanistan and would continue to tell the truth in Cuba.

Assisting Military Officer: The Detainee agreed with this statement.

Designated Military Officer: (4.b) When describing the circumstances behind his brother's death, the Detainee stated he had no weapon; however, his brother had a rifle and two hand grenades.

Assisting Military Officer: In response to this statement, the Detainee agreed.

Detainee (*through translator*): Yes.

Presiding Officer: So, in addition to the rifle, you do agree that your brother had two grenades?

Detainee (*through translator*): Yes.

Presiding Officer: And your brother brought the weapon and the hand grenades from the location where you found him?

Detainee (*through translator*): Even when we were together riding the bicycle, he had these things with him.

Presiding Officer: He had them with him when you found him at that location in the mountains?

Detainee (*through translator*): I had not seen them before that. When we started riding the bike, these things were with him.

Presiding Officer: Thank you.

Member: Did you ask your brother why he had these weapons?

Detainee (*through translator*): No. I had not asked him.

Member: Did you not think it would be dangerous to travel with someone carrying these weapons?

Detainee (*through translator*): I could not ask him any questions. He was older than me.

ISN 943  
Enclosure (4)  
Page 12 of 16

UNCLASSIFIED//~~FOUO~~

00002060  
2660

UNCLASSIFIED//~~FOUO~~

Designated Military Officer: (4.c) The Detainee stated he wants to go home to help his family on the farm and continue to study the Koran.

Assisting Military Officer: In response to this statement, the Detainee agreed.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.d) The Detainee stated, during his capture, no weapon was ever pointed at United States Forces and no attempt to utilize a hand grenade was made when they encountered United States Forces.

Assisting Military Officer: The Detainee agreed with this statement.

Detainee (*through translator*): Sir, I have not used anything against the Americans. There was nothing with me to use against them.

Presiding Officer: Did your brother use anything against the Americans?

Detainee (*through translator*): No. I have not seen it.

Designated Military Officer: (4.e) The Detainee claims he never knew or heard of Usama bin Laden until the Detainee was in United States custody in Bagram, Afghanistan.

Assisting Military Officer: The Detainee agreed with this statement.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.f) The Detainee stated that, as a student studying in the madrassa in Pakistan, he and others were not, at any time, preparing for jihad against the Americans. The Detainee claims he does not know the definition of jihad.

Assisting Military Officer: In response to this statement, the Detainee agreed.

Detainee (*through translator*): Yes.

Member: What were you doing in Pakistan when you were not studying at the maddrassa?

Detainee (*through translator*): I was reading and studying.

Member: You were studying all the time?

Detainee (*through translator*): Yes.

ISN 943  
Enclosure (4)  
Page 13 of 16

UNCLASSIFIED//~~FOUO~~

00002061  
2661

UNCLASSIFIED//~~FOUO~~

Presiding Officer: How did you support yourself?

Detainee (*through translator*): There was no need for money. We had food at the maddrassa. That is all.

Presiding Officer: Thank you.

Designated Military Officer: (4.g) The Detainee stated he knows of no individuals associated with his maddrassa that have ties to the Taliban, al Qaida, or Hezb-E Isalmi Gulbaddin, and knows of no instances when the school has been approached by such persons.

Assisting Military Officer: In response to this statement, the Detainee agreed.

Detainee (*through translator*): Yes.

*The members did not desire more time to review 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.*

*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 did not have further exhibits to be presented on behalf of the Detainee.*

*The Detainee declined to make an oral statement.*

*The Assisting Military Officer had no additional information to present, but had the following question for the Detainee:*

Assistant Military Officer: Abdul, if you are released or transferred to your home country, what are your plans? What are your intentions?

Detainee (*through translator*): I will run my life with farming and herding sheep, being a shepherd. That is all.

*The Designated Military Officer did not have any questions for the Detainee.*

ISN 943  
Enclosure (4)  
Page 14 of 16

UNCLASSIFIED//~~FOUO~~

00002662  
2662

UNCLASSIFIED//~~FOUO~~

***The Administrative Review Board members had the following questions for the Detainee.***

Member: Mr. Ghani, if you are transferred home, do you have any reason to believe that your safety would be in jeopardy?

Detainee (*through translator*): There is no danger for me if I go back to my home.

Member: What do you think of the U.S. forces that captured you?

Detainee (*through translator*): I do not have any thoughts about them. I have nothing.

Member: If you return home, you are not going to studying at the maddrassa anymore; you are going to farm?

Detainee (*through translator*): It is not very clear in my mind. Maybe I will go and do farming or, if I do not, I will go study.

Presiding Officer: The U.S. intervention in Afghanistan, do you consider the United States a liberator or an invader?

Detainee (*through translator*): I have no information in this.

Presiding Officer: That is fine. Are you in contact with your family now?

Detainee (*through translator*): Yes.

Presiding Officer: Who owns the farm that you would return to?

Detainee (*through translator*): It is ours.

Presiding Officer: It is in your immediate family?

Detainee (*through translator*): That is my father's.

Presiding Officer: So, if you are released or transferred, you will be able to support yourself?

Detainee (*through translator*): Yes, of course, I will.

Presiding Officer: Why did you decline to accept the Unclassified Summary of Evidence?

Detainee (*through translator*): It is not going to help me. What is the use to take it?

ISN 943  
Enclosure (4)  
Page 15 of 16

UNCLASSIFIED//~~FOUO~~

00002663  
2663

UNCLASSIFIED//~~FOUO~~

Presiding Officer: Thank you. And thank you for attending today and thank you for your answers.

*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.



ISN 943  
Enclosure (4)  
Page 16 of 16

UNCLASSIFIED//~~FOUO~~

00002664  
2664