

**Summary of Administrative Review Board Proceedings for ISN 556**

***The Administrative Review Board was called to order.***

***The Detainee entered the proceedings.***

Presiding Officer: Good morning, sir. Your name is Abdulla, first name unknown?

Detainee (*through translator*): That is my first name.

Presiding Officer: That is your first name. I'll just call you Mr. Abdulla.

Detainee (*through translator*): Yes.

***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 and offered the Muslim oath.***

Detainee (*through translator*): I don't have a problem. Whichever way you like it, I can do it.

Presiding Officer: It's totally up to you. Do you want to take the oath? Yes or no.

Detainee (*through translator*): If you are going to trust me with an oath, then I am going to take an oath.

***After the Designated Military Officer read the Muslim oath, the Detainee chose not to go through with the Muslim oath and, instead, presented and swore to an Islamic oath of his own.***

Detainee (*through translator*): In the name of Allah, I am going to present all my statements truthfully. I am going to tell only the truth.

Presiding Officer: Thank you.

***The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.***

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***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 19 September 2006. After reviewing the ARB's purposes and procedures, the Uzbek 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 attentive and cooperative during the interview. A copy of the Uzbek translated Unclassified Summary of Evidence was provided to the Detainee upon his request.

***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 Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of information from the Unclassified Summary of Evidence as it was presented.***

Presiding Officer: The Designated Military Officer will read each factor from the Unclassified Summary. We will then provide you a chance to respond. Board members may ask you questions based on your response. The Designated Military Officer will read an allegation and you'll be able to respond to that allegation.

Detainee (*through translator*): Okay. Understood.

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

Designated Military Officer: (3.a.1) The Detainee stated he joined a group of Mujahedin to fight the Soviet invasion.

Detainee (*through translator*): I already gave the complete answer to this question previously. The Russians came into our country with force and I didn't think it was -- well, to defend your country, I think that was an honorable thing to do. The whole nation of Afghanistan actually stood up against; it wasn't just me. I thought that was something honorable for the country. All Afghans participated in that war and, if it is something to

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be punished for, then the whole nation should be punished for that. All I was doing was just defending my own country.

Presiding Officer: The Board understands.

Designated Military Officer: (3.a.2) A source stated that the Detainee was a Mujahed.

Detainee (*through translator*): You have to understand the definition of "Mujahed". According to Islam, when you are defending your country, in the name of Islam, that is how you can define the word "Mujahed". You have to separate people who were actually fighting as terrorists. There is a different group of people who were fighting just to defend their country. Terrorist actions are totally different. They would bomb buildings and bring harm to other people. If you are just defending your country, or defending in general, or defending your family, that could be Mujahedin. When Russians invaded Afghanistan, the other countries like America, and Britain, and Germany were helping Afghanistan with weapons, and money, and other sources. If the other countries were helping, then that means they were helping for a good reason.

Presiding Officer: The Board understands. We want to go to the next allegation.

Designated Military Officer: (3.b.1) The Detainee stated that he knows how to operate a Kalashnikov rifle, but never received formal training in how to use it. The Detainee stated he never attended any military style training camps, but he did attend a physical fitness camp for six months.

Detainee (*through translator*): I didn't attend any kind of camp while I was in Afghanistan, but there was a special camp in Peshawar, Pakistan. It is not even a special camp. It is just a fitness center, which is open to the whole public. There is nothing special about this place. It is just a fitness center.

Presiding Officer: What was the name of this physical fitness center in Peshawar, Pakistan?

Detainee (*through translator*): Champion, I guess. I already gave them information about that.

Presiding Officer: Okay.

Designated Military Officer: (3.b.2) The Detainee stated that while fighting for the Northern Alliance, he used a Kalashnikov rifle but had only witnessed the use of explosives.

Detainee (*through translator*): I did not fight with the Northern Alliance. The only fight I participated in was against the Russians.

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Presiding Officer: Did you witness the use of explosives?

Detainee (*through translator*): I saw explosives, but I didn't see the way they were actually made. I saw them. They're very simple. If you step on them, they will explode. There were lots of them in Afghanistan. They even had them on display for people to look at and identify so they won't step on them when they see them on roads. If you are saying that I was actually working on them, then that is not a true statement. I was with the Mujahed group for a while, but I did not fight against any other alliances, especially the Northern Alliance. I never even mentioned those things.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.3) During the raid of the Detainee's location, 19 English-language manuals were discovered. The manuals covered the manufacture of improvised explosives and detailed explanations of the manufacture of poisons.

Detainee (*through translator*): I was a guest at Musa's house. At that time, when I was staying there as a guest, they had a raid on his house and those items were found. I am not sure if that is a true statement. Pakistani authorities actually came to arrest Musa, the owner of that house and, because I was in his house at that time, they also arrested me. I was only a guest in his house. I stayed there for two days. On the third night during my stay there, they captured us. I didn't even know what he had inside his house. I never asked questions.

Presiding Officer: Do you know why they went there to arrest Musa, your friend?

Detainee (*through translator*): I heard that they were actually after Musa, but I didn't know the real reason for that. I just guessed maybe because he had too many people in his house coming and going. Also, Pakistani authorities were after foreigners and questioning them. That is just my guess.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.4) The Detainee stated the Pakistani authorities accused him of being an explosives expert, who smuggled explosives from Tora Bora. The Detainee's hands were tested for explosive residue and the test result was positive.

Detainee (*through translator*): In the Tora Bora mountains, Afghanistan, before entering the country, I was imprisoned in Pakistan. I was in a prison for about a month before they released me. When I was released, all those Imams and everything in Tora Bora, Afghanistan were already over, so how could I possibly have participated?

Presiding Officer: So you deny being an expert and smuggling people into Tora Bora? You deny that?

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Detainee (*through translator*): Yes, it is a wrong statement. If you think logically, I was in a prison at that time, so I would not be able to participate.

Presiding Officer: You were only in prison for 30 days. This does not have a date on it, so you could have smuggled explosives into Tora Bora before you were arrested.

Detainee (*through translator*): Actually, at that time, I was in prison. They were all saying that it was a duty to fight in Tora Bora but, since I was in prison at that time, there was no way.

Presiding Officer: We understand. You denied that allegation. Can you explain about the explosives residue on your hands?

Detainee (*through translator*): After the Russians left the country in 1992, I have never touched any kind of explosives or participated in anything. I didn't have any reason for handling those kinds of things after 1992. I know myself very well, so I am telling you the truth that I didn't touch it.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.5) An al Qaida Detainee identified the Detainee and said he took basic training at the Khalden camp in Afghanistan in 1998.

Detainee (*through translator*): That is a wrong statement. Like I said, after 1992, I didn't participate in any kind of fighting or anything. During that time, I was just working and doing my job as a regular citizen and I didn't participate in kind of fighting. It's a very wrong statement.

Presiding Officer: Mr. Abdulla, you deny attending the Khalden camp?

Detainee (*through translator*): I have never heard of that kind camp and I have never been there.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.c.1) The Detainee stated that he was arrested by Pakistani police because Arabs had previously occupied the house.

Detainee (*through translator*): That is true. My friend, Musa, came from Afghanistan and he bought this house in Pakistan with his family and he occupied it with his family. The Pakistani authorities thought that Arabs were still living in this house. The first time that they captured us, they actually came looking for Arabs, but they found out that Arabs did not live in this house anymore.

Presiding Officer: I thought they were coming to capture Musa.

Detainee (*through translator*): The first time I was captured in the Peshawar mountains, in Islamabad, before Imatubbha bought this house, Arabs used to live in it. Whoever lived in this house had been captured but, after they had been released, they actually ran away or fled the country. And when Imatubbha came to the country, he was looking for a house and he bought this house. He did not know that, previously, Arabs used to live in that house.

Presiding Officer: Excuse me. You are now saying that the reason the house was raided by Pakistani authorities was because they were looking for previous owners, who were Arabs. Earlier, you said they went there to arrest your friend, Musa. There is a contradiction here.

Detainee (*through translator*): That was the second time, when they came to look for Musa. You are right, but that was the second time. Even right now, I told you previously that they came to look for Musa and they got me also.

Presiding Officer: So this situation is when you were arrested and incarcerated for 28 days? Is that with this situation? So this was the first time you were arrested?

Detainee (*through translator*): Yes. Yes, that is what it was.

Presiding Officer: Thank you.

Detainee (*through translator*): That is what I meant when I was telling that they were looking for Arabs.

Presiding Officer: The Board understands.

Designated Military Officer: (3.c.2) The Detainee became acquainted with two Arabs while attending Jamiah Asri Madrassa. The Detainee was introduced to the passport maker, who offered to provide the Detainee with a counterfeit passport. The Detainee borrowed 700 United States Dollars to purchase the passport.

Detainee (*through translator*): Well, pretty much everything in this statement is true, except that, when I was in Jamiah Asri Madrassa, there were not two Arabs; there was only one Arab that I met; his name was Musa. Musa introduced me to the person, who actually makes forged passports. I borrowed 700 American Dollars from Imatubbha. That is a true statement.

Designated Military Officer: (3.c.3) A source stated that the Detainee had an appointment to purchase a forged passport with the name of Ali Uzd Amir.

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Detainee (*through translator*): I did buy a passport for 500 American Dollars, but I don't remember what name was written on it.

Designated Military Officer: (3.c.4) The Detainee said he purchased a passport with the name Ali or Urqhan from a source for 500 United States Dollars.

Detainee (*through translator*): That is true.

Presiding Officer: And the purpose for purchasing this passport, where were you planning to travel to?

Detainee (*through translator*): I wanted to go to Turkey just to work over there.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.5) An individual who used his home to exchange forged documentation stated he hosted the Detainee in his house.

Detainee (*through translator*): That is true. That's pretty much true, but Musa was using his house for those kinds of purposes. The way I see it, Musa was a very ordinary person, but people used to just tell others, especially on foreigners when they come to the country, that they are doing something. He was a very ordinary person and just living his life with his family. He didn't work; his brother was supporting him. I didn't see him doing anything wrong at that time.

Presiding Officer: If he was just an ordinary person, how do you explain the manuals in the home that showed how to manufacturer improvised explosive devices and how to manufacture poison?

Detainee (*through translator*): That was my impression. I didn't see what he was doing. Lots of people were captured, up to 1,500, but most of them had been released. When they investigated the cases and they found out that those people were innocent, they were released. It was a mistake to capture them in the first place, so they were released. They realized that those people were captured by false information. So whoever does not hear a lot, they would actually try to give some false information about you and sell you to the government.

Presiding Officer: Mr. Abdulla, let's get back to these explosive and poison manuals. How many people lived at that house?

Detainee (*through translator*): It was just his immediate family, and his sister, and her daughter.

Presiding Officer: So the manuals either belonged to you or they belonged to Musa.

Detainee (*through translator*): I am not going to justify him. If something was found in his house, there's a possibility, but the way I see it, he was just an ordinary person.

Presiding Officer: So it is a possibility that those manuals belonged to your friend, Musa?

Detainee (*through translator*): Of course. Nobody will drop it from the sky to his house, so it probably belonged to Musa if it was found. There's a possibility that it belonged to Musa, but I didn't have anything to do with that because I didn't see what he was doing. The way I see it, he was just a regular person. It's too hard for me to believe that Musa is that kind of person. If those are just accusations, if you didn't see those papers, then I don't believe that.

Presiding Officer: This allegation that was just read, "An individual who used his home to exchange forged documentation stated he hosted the Detainee in his house," is that Musa or is that someone else?

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

Presiding Officer: So Musa was involved in forged documents?

Detainee (*through translator*): Well, like I said previously, he wasn't participating himself. He wasn't actually doing the passports, but his friend, Abdul Latif al Turki, was the one who was doing that.

Presiding Officer: Okay. Thank you.

Detainee (*through translator*): He was not doing that, but he introduced me to that person.

Designated Military Officer: (3.c.6) The Detainee stated that, just prior to his capture, he met the host of the house that he was captured in. The Detainee stated that the host does not know him well.

Detainee (*through translator*): Well, that is pretty much a true statement. I met him just a little bit prior to my capture. He was just a regular friend. So that's pretty much a true statement.

Presiding Officer: So we are talking about Musa?

Detainee (*through translator*): Yes, Musa again.



Presiding Officer: Thank you.

Designated Military Officer: (3.c.7) A source introduced the Detainee to the passport maker, and the Detainee stated he had never met the passport maker prior to purchasing the passport.

Detainee (*through translator*): Yes. I didn't see him. I never met him prior to that. That is a true statement.

Presiding Officer: Who introduced you to the passport maker?

Detainee (*through translator*): Musa did.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.8) The Detainee stated that, two days after receiving the passport, the police raided the homeowner's residence where he was apprehended.

Detainee (*through translator*): That is true.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.9) Pakistan authorities raided the house, where the Detainee was located, looking for an explosives expert named Abdul Latif al Turki.

Detainee (*through translator*): When the Pakistani authorities came to raid the house looking for Abdul Latif al Turki, they actually captured me as him, but that is not true because my name is not Abdul Latif al Turki.

Designated Military Officer: (3.c.10) The Detainee stated that the Pakistani authorities may have arrested him because the name of the explosives expert was printed on his passport.

Detainee (*through translator*): When I received my passport, I looked at it, but I didn't even know that Abdul Latif al Turki's name was on it. I didn't even look through the passport very well but, at that time, when I received it, I memorized a few things.

Presiding Officer: I think the next allegation will explain this further.

Detainee (*through translator*): I did not even notice what was written on the passport. I didn't know that Abdul Latif al Turki's name was on it.

Designated Military Officer: (3.c.11) The Detainee stated he did not read the passport. The Detainee stated that he was coached on what to say in case officials questioned the

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Detainee during his travels. The Detainee could not recall what he was told about the passport.

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

Designated Military Officer: (3.c.12) The Detainee stated that the Pakistani authorities were looking for the passport maker.

Detainee (*through translator*): Yes. I mentioned on interrogations that there is a possibility that Pakistani authorities are actually looking for that person.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.13) A source stated the Detainee was at the Khana Gulam Bacha guesthouse in Kabul, Afghanistan.

Detainee (*through translator*): We talked previously about that. They told me that that guesthouse belonged to Taliban. I didn't go specifically to that guesthouse for a specific reason, but when you are traveling and you want to stay overnight somewhere and you see a hotel, you will probably stop by and have a nice meal and rest for the night. If you like the place and they have good food over there, you don't ask them if it belongs to Taliban or to other organizations. I didn't have any kind of association with Taliban.

Presiding Officer: But you did stay at this guesthouse?

Detainee (*through translator*): Well, I didn't know the name of the guesthouse. I never heard about the name of the guesthouse, but if I stopped by somewhere to just rest or to have a meal and stay overnight, there is a possibility that I stayed at that place. There is a possibility that it was just a rest area for travelers. There is a possibility that I stopped by over there just for a meal and rest. If it really belonged to Taliban, I didn't even know that and I didn't have any idea because I never associated with Taliban.

Presiding Officer: The Board understands.

Designated Military Officer: (3.c.14) A source identified the Detainee and said he saw the Detainee several times at the al Ansar guesthouse in Peshawar, Pakistan.

Detainee (*through translator*): That is a wrong statement. I have never been to that kind of guesthouse. Like I said, after 1992, I never participated in any kind of activities and I have never been in that house. It is a wrong statement.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.15) An al Qaida operative stated that the Detainee was a Turkish Mujahedin travel facilitator that brought Mujahedin from Turkey to a guesthouse in Pakistan.

Detainee (*through translator*): That is a wrong statement. It does not have any base on it.

Designated Military Officer: (3.c.16) A known al Qaida member claimed that the Detainee was at the Nebras guesthouse. The known al Qaida member stated that the Detainee was either Taliban or al Qaida in hiding.

Detainee (*through translator*): Going back to item number 15, you have to explain to me, if I was that kind of person, who was actually transferring Mujahedin from Turkey to Pakistan, I should have had my own place. I should have had my own place to have people temporarily and lead them somewhere. That is a very, very wrong statement.

Presiding Officer: Have you concluded with 16?

Detainee (*through translator*): No, that was about 15.

Presiding Officer: I know, but are you concluded with 16? Does he (DMO) need to read it again?

Detainee (*through translator*): That is a wrong statement.

Presiding Officer: Thank you.

Detainee (*through translator*): Like I said previously, I never associated with neither Taliban or al Qaida.

Designated Military Officer: (3.d.1) The Detainee was likely the commander of the Margun al Qaida camp in 1997 and reportedly an explosives expert.

Detainee (*through translator*): That is a wrong statement. That is just a wrong accusation. You cannot just accuse somebody.

Designated Military Officer: (3.d.2) The Detainee stated he was not at Tora Bora. The Detainee claimed he was in Pakistan at the Islamic school throughout this time period.

Detainee (*through translator*): I was in prison at that time.

Designated Military Officer: (3.d.3) The Detainee stated he was not at Tora Bora. The Detainee stated that the Pakistan authorities had previously arrested him and held him in

detention at that time. The Detainee claims he was released after the battle of Tora Bora had ceased.

Detainee (*through translator*): That is true.

Designated Military Officer: (3.d.4) Six passports were found at the Detainee's capture location. The Detainee claimed he was unaware of their existence.

Detainee (*through translator*): That is true.

Designated Military Officer: (4) The Detainee said, if he were released, he would like to be released to a country where there is peace and he would have the ability to obtain a job to make ends meet, such as Canada, Turkey, Germany, or America.

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

***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 Assisting Military Officer stated that he had no additional comments or documents on behalf of the Detainee.***

***The Detainee was asked if he would like to make an oral statement to the Administrative Review Board.***

***The Detainee made the following statement:***

Detainee (*through translator*): This is the third time I am participating in a Board. This is my third Board. Every time I say my statements, they are actually turning them around and adding more accusations against me. The majority of those statements are very wrong. When I was in Peshawar, Pakistan, I was detained for 28 days. There were three people over there, me, Imatubbha, and Abdul Bakhid. They got information from all three of us and, after they investigated and found out everything were true, they actually released us. The reason they released us was because they checked all the information we gave them and they investigated everything. They went to those places, found out where we lived, they talked to the people and, when they found out everything was true, they released us. Even before the second Board, I gave a lot of information about my place, where I have been, what I was doing, and where I lived. I gave them Abdul Latif's name. I asked them to go to that place to talk to that person and ask him information about me and he will tell them exactly what kind of person I am. All these problems will be endless until somebody goes to this place and ask the people there as to what kind of person I am. Only after that will you get the true information about me. The truth will

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come out after that and all these problems will be over. If you didn't even try to contact those people and ask them about me, these problems will never end. Whatever I tell you, you can take it either way. You can trust me or you cannot trust me. You can ask me lots of questions and I will tell you everything I know but, until you actually talk to somebody else outside about these problems, you are not going to trust me or live with that thought. I spent four and a half years here and I have been in very bad conditions. I never associated with any of the other groups and I do not have any harm towards you. In four and a half years, you lose a lot. You lose your health, get stressed out, lose your family. In four and a half years or five years, if you are not released from here, you will not be the same person. It is not right justice when you are not looking after a person's health and his benefits and only looking after your own benefits. Everybody looks at America as a country of justice, human rights, treating people right. I believe that I had been detained for no reason. I never even talked anything against America at that time. I was just a regular person. I don't see any reason for you to detain me here. I gave a lot of information about where I came from and even my parents' address, my father's name and everything, but it seems like nobody actually went to those places to check. As far as I know, the purpose of this Board is to determine continue detention or to release me from here and that is a really huge thing for me. If you really want to find out the truth about me, then somebody has to go and check all the sources, which I provided you, names and addresses of people back in my country. Somebody has to go there and actually check and talk with them. After that, all these things might be over. You have almost up to 20 accusations against me, but I believe all of them are wrong statements. You don't have any evidence to prove them. I can also get any kind of accusation and say on somebody. There are only a few items that are true. About the passport, maybe a couple of items are true, but saying that I was associated with Taliban or al Qaida, that I was a terrorist, all those allegations are completely not true. I believe I have been detained for no reason for so many years and I would like to ask you to have justice. I am asking for my rights and you have to try to resolve my case. I got very stressed out and I am losing my health. I fear about what is going on with my family over there, my father, and other members of the family. I don't understand why I should live in this kind of condition here. I want to ask and request for my rights and ask you to resolve all these problems for me.

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

Detainee (*through translator*): That's all. I hope you understand me.

Presiding Officer: Thank you.

***The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.***

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

***The Designated Military Officer had the following questions for the Detainee:***

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Designated Military Officer: Mr. Abdulla, what languages are you able to read and write?

Detainee (*through translator*): Like I said previously, I never attended school but, when I was in the madrassa, I learned a little bit of Farsi and Arabic. While I was here, I learned a little bit Uzbek from the Uzbek brothers. Prior to this, I didn't know how to read. That's all.

Designated Military Officer: Thank you.

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

Member: Mr. Abdulla, do you know where your family is and can you tell us a little bit about your family?

Detainee (*through translator*): They should be in Afghanistan, either in Faryab or Takhar. The last time I spoke with my father, they were in Takhar.

Member: Are you married and how many other people are in your family, brothers and sisters?

Detainee (*through translator*): I have two younger brothers.

Member: Okay. One last question. You did make a statement and agreed with earlier that, if the decision of the Designated Official is to transfer or release you, you would like to go to another country and not go back to Afghanistan. Why do you not want to go back to Afghanistan?

Detainee (*through translator*): Even when I was in Afghanistan, I was actually trying to go somewhere overseas to work; that was the reason I was trying to make a passport. You know about the situation in Afghanistan. For about 30 years, there has been war. There is no possibility of work and making good money and getting married. It all requires money, so that's why you have to find some other places to go and have a comfortable way of living. In Afghanistan, it is very hard to find a job. Even if you find a job, the pay is so little it is just enough to support yourself. Lots of Afghans actually are actually trying to leave the country and go somewhere else like the countries I had just referred to. That's the same reason why I want to go somewhere else to make a good living. I am now 35 years old and I would like to get married. Even in Pakistan, it is hard for foreigners to live there because the Pakistani government would not let you work over there freely. So living in Pakistan or Afghanistan is not very good. You probably knew that. So if you want to have a good living, you have to actually get away from those countries. There are good people and bad people. For some people, in order to get money, they do stealing and those kind of things, but that's not for me. That's the only reason, so I can have a good living and make good money. That was my request from

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you, if there is a possibility. In Afghanistan, I believe it is still dangerous. There is still a war going on, so it is not going to be a good place to live.

Member: Thank you very much for your answers and taking the time to come to the Board today.

Presiding Officer: Abdulla, you stated that you define a Mujahedin as somebody who defends his country against aggression. The U.S. intervention in Afghanistan, do you consider the United States an aggressor?

Detainee (*through translator*): The way I see it, Americans actually came to help Afghanistan. If Afghanistan was a nice place to live, I never would have tried to leave the country. I would have thought to join and help the Americans to get the country on the right. Like I said, when Russians invaded Afghanistan, everybody was actually against that and they were trying to fight and defend our country.

Presiding Officer: You mentioned you have very little or no education. If you are released or transferred, do you have any occupation skills that you could use to support yourself and your family?

Detainee (*through translator*): Well, I have some skills to find any kind of job probably. I am not trying to be a leader or anything, like a corporate leader, but any kind of little job would be nice for me. I am always ready to pick up any kind of job or where I would be able to do that. Every little thing. I am not trying to get into the corporate world.

Presiding Officer: Okay. Understand. If you know someone at your home that can provide relevant information on your behalf, there are procedures for you to have that information sent here.

Detainee (*through translator*): I wanted to go to Turkey because I have an uncle over there in Turkey, so that's why I was trying to make a passport to go to Turkey and stay with him and work with him.

Translator: I guess he didn't understand the question.

Detainee (*through translator*): Like I told you previously, in Pakistan, there is Abdul Latif. I also gave them the full address of Hussein Jon. There are a few people in Afghanistan like Haji Jamshid, and Pidan Kol, and also my father. You can have full information about me from those people. There is one place in Pakistan named Shaam Shiitu; that's a refugee camp for Afghans. They have an office over there. If there's a possibility to ask about me from that office, they will tell you what kind of person I am.

Presiding Officer: Okay. Thank you.

Presiding Officer: I appreciate your appearance here today.

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*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.





Transcript of ISN 560—withheld from release under  
Exemption (b)(6)

2413-2423

**Summary of Administrative Review Board Proceedings for ISN 574**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

*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 wished to make a 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 an 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.*

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The detainee's ARB interview was conducted on 3 April 2006 and lasted 1 hour and 40 minutes. After reviewing the ARB's purpose and procedures, the Arabic 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 that he would not attend the ARB and requested to have the AMO present his oral statements on his behalf. The detainee was very cooperative throughout the interview, but appeared openly skeptical of the ARB process. A copy of both the English and Arabic translated version of the Unclassified Summary of Evidence were provided to the detainee upon his request. The detainee's follow-up interview was conducted on 4 April 2006 and lasted 40 minutes. At the conclusion of the follow-up interview, the detainee stated he would like

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to attend the ARB proceeding. He stated that he would like to have the AMO read his recorded statements made during the initial interview to the ARB and he would be present in case they had any other questions.

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

***The Designated Military Officer stated that a copy of these exhibits had been made available 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 after 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 to assist the Detainee with answering the statements.***

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment. (3.a.1) The detainee wanted to fight for jihad in Afghanistan.

Assisting Military Officer (*for detainee*): This statement is true, there are many kinds of jihad besides fighting; for example, guard duty or assisting the needy. I went to help the needy of Afghanistan nearly a year before the September 11, 2001 attacks.

Detainee (through translator): This allegation is what causes my continued detainment. There is no relationship to 9/11.

Presiding Officer: I agree. The commitment statement only says that you wanted to fight jihad in Afghanistan. You are correct, it does not mention 9/11.

Detainee (through translator): Why do they mention September 11 [in the statement]? I was captured and I had nothing to do with 9/11 before or after it.

Presiding Officer: Again, this statement does not say that you did. In your reply through the AMO you brought up September 11<sup>th</sup>.

Detainee (through translator): I left a year early. The United States is in the west and I am in the east. I went from Yemen to Afghanistan. I had nothing to do with the United States.

Designated Military Officer: (3.a.2) The detainee had 2,000 United States Dollars of his own money saved for the trip.

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Assisting Military Officer (*for detainee*): This statement is true.

Detainee (through translator): As far as I am concerned, I want to talk because I have spent four years here. I am entering the fifth year. I want to see American justice. Where is it?

Presiding Officer: We are going to try and help you with that today. This is your opportunity to help clear up some of the allegations that have been presented to us. That is why we are here, to listen.

Detainee (through translator): Thank you. The allegations that I traveled with money are not real.

Presiding Officer: Did you have \$2,000 of your own money with you?

Detainee (through translator): Yes, it was my personal money and it could be used for anything.

Presiding Officer: That is true, I agree.

Board Member: How did you make the \$2,000?

Detainee (through translator): I have worked all my life. I do construction, I am married and I have kids. I own a house. It was my own personal money.

Presiding Officer: With the construction job, are you able to take time off to go from Yemen to Afghanistan?

Detainee (through translator): I freelance. I work for myself. It is not as though I am tied up with the government.

Presiding Officer: So, you can afford to take time off to fight for jihad in Afghanistan?

Detainee (through translator): Yes.

Designated Military Officer: (3.a.3) The detainee was recruited to go to Afghanistan by Abu Abdul Rahman at the Hayel Said Mosque in Adan, Yemen. Rahman gave the detainee 500 United States Dollars and travel instructions to go to Afghanistan.

Assisting Military Officer (*for detainee*): This statement is not true, but Abu Abdul Rahman was not well known until after I attended his speech on the positive aspects of jihad. After his speech, I asked him a question about the way to Afghanistan or to jihad. I later went to Afghanistan but without pressure from anyone.

Detainee (through translator): This is my answer. I would like for you to understand this person that you mentioned, I did not know [him] before. I was at his speech.

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Afterwards, I asked him the way to Afghanistan. He told me how to get [there] through Iran. There is nothing more or less to it.

Presiding Officer: Just how to travel to Afghanistan?

Detainee (through translator): Yes. I asked him how to go to Afghanistan to fight jihad. He said he did not know the way, but the closest way was through Iran. That was the only conversation I had with him.

Presiding Officer: Abu Abdul Rahman did not provide you with any money?

Detainee (through translator): He gave me \$500 and told me it was a gift for me because I wanted to go and fight for jihad. He said, "if you are still here and I have more [money], I will give it to you. If you go now, then God will pay me back."

Board Member: Did you ever fight for jihad before this?

Detainee (through translator): No.

Designated Military Officer: (3.a.4) The detainee was motivated to do jihad after learning that any Muslim who dies for jihad goes straight to Allah and into paradise.

Detainee (through translator): I do not understand this allegation.

Presiding Officer: There is no response under the detainee comments.

Detainee (through translator): I was asked this question a long time ago and I answered it. If you want me to answer it now I can.

Presiding Officer: You do not have to. It is just one of the commitment statements. If you want to provide a response you can, but you do not have to.

Detainee (through translator): I am Muslim and Islam is my religion. Jihad is a duty in our religion. It does not need to be motivated by anyone.

Designated Military Officer: (3.a.5) The detainee served as an assistant officer at Kho Ajagir, at the northern Afghanistan front.

Assisting Military Officer (*for detainee*): I was not in northern Afghanistan. I was in Kandahar and later in Karachi, Pakistan.

Board Member: Were you in Kabul?

Detainee (through translator): Yes.

Board Member: Isn't that in northern Afghanistan on the front?

Detainee (through translator): I believe that Kabul is not in the north. It is in the middle of Afghanistan closer to the south than the north.

Board Member: Was not the front near Kabul?

Detainee (through translator): The front is in Kabul itself, not close.

Designated Military Officer: (3.b.) Training: (3.b.1) The detainee admits he knows how to use the Kalashnikov rifle, but stated he never went to an al Qaida or Taliban training camp.

Assisting Military Officer (*for detainee*): This is correct. I sold it because I needed the money. I find this amusing. Just because I knew how to use a weapon should not mean I pose a threat.

Board Member: When did you sell your Kalashnikov?

Detainee (through translator): I sold it before I got married. It has been more than 10 years.

Board Member: We read your responses to the CSRT. You mentioned you did not need to attend a training camp to learn to use a Kalashnikov or go to the front lines.

Detainee (through translator): This is one question I was asked by the interrogator, how did you go to the front if you have not been in training? I told him I knew how to use the Kalashnikov and I did not need training. Then I went to the front.

Board Member: How did you get in? Who did you talk to?

Detainee (through translator): The person going to Kabul asked me to go with him and I said yes. He asked me if I got training and I told him, no. But I know how to use the Kalashnikov.

Board Member: What is the person's name?

Detainee (through translator): It has been four years. I traveled with him once. I do not remember his name.

Designated Military Officer: (3.b.2) The detainee stayed at the Said Center, a military post in the Bagram area, for twenty-five days.

Assisting Military Officer (*for detainee*): I was at this center for 20 days not 25 days.

Detainee (through translator): Yes, I stayed at the center. I do not see the relevance between 20 days and 25 days.

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Presiding Officer: I do not either. It is a military post?

Detainee (through translator): Yes.

Presiding Officer: What did you do for the 20 days you were there?

Detainee (through translator): I was in the center for the winter. It was calm during the time of the Masoudeyeen. They are the enemy of the Taliban.

Presiding Officer: Is the Masoudeyeen the enemy of the Taliban?

Detainee (through translator): Yes. The center was only for the rear guards, the ones who guard the street.

Presiding Officer: What did you do for the 20 days you were there?

Detainee (through translator): Night guard.

Board Member: What were you guarding?

Detainee (through translator): The road.

Presiding Officer: So it was something like a military police officer?

Detainee (through translator): I do not understand military police. It was just a guard that stopped unauthorized cars from coming into the area.

Board Member: Who was in charge of the camp?

Detainee (through translator): I do not remember his name but I told them before so it should be in the file.

Designated Military Officer: (3.b.3) The Said Center Training Camp was a Taliban run training camp for Arab recruits en route to fight General Dostum's soldiers to the north of Konduz, Afghanistan. The training consisted of small arms familiarization and range qualifications.

Assisting Military Officer (*for detainee*): The center was not much of a training facility while I was there. There was mostly guard duty.

Detainee (through translator): I do not have any additional comments.

Presiding Officer: So did you participate at all in the small arms training and familiarization?

Detainee (through translator): The answer was very clear. The center was a center for guards. The only weapon we had was a Kalashnikov. After I finished my guard duty, they took it away from me.

Board Member: How many buildings were at the center?

Detainee (through translator): There were several buildings that had several rooms. One building was for prayer and there was a basketball court outside.

Board Member: Were there bunkers at the center?

Detainee (through translator): There were not bunkers under the ground. There were places built above the ground.

Board Member: Like foxholes?

Detainee (through translator): Yes, like foxholes. The place that was used for prayers was built out of trees.

Designated Military Officer: (3.b.4) The detainee has been identified as an expert in using the SAM-7 missile systems.

Assisting Military Officer (*for detainee*): This is not true. I only know how to use the rifle.

Detainee (through translator): Yes. Yes, to the answer, not to being an expert with the SAM-7.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) The detainee stayed at the Arab guest house in Kandahar; an unidentified guest house in Kabul, Afghanistan; and at a guest house in Karachi, Pakistan where the detainee was detained in a raid before he could leave.

Assisting Military Officer (*for detainee*): They should not be called safe houses because it implies I was hiding from the authorities. I stayed at an Arab house in Afghanistan that all the Afghans seemed to know. In Pakistan, I stayed as a guest at the house of a man named Aziz. I have never heard of al Qaida until the Americans arrested me. Since there was an American with the Pakistanis who picked me up, I feel the Americans arrested me.

Detainee (through translator): In reality, I did not know what "safe house" means until I asked one of my interrogators. He explained it was a secret place where you hide. I want to make it clear that this is not a safe house. It is a house that is well known by everyone in Afghanistan. Even the taxi drivers know where it is.

Presiding Officer: When you say well known by everybody, if I were to ask a taxi driver to take me to one of the houses where you stayed, what would you tell them?

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Detainee (through translator): For example, if I wanted to go to the mosque I would tell him to take me to mosque so and so. This house was known as [the] house of the Arabs.

Presiding Officer: So you would say, "Take me to the house of the Arabs" in whatever town you were in?

Detainee (through translator): When I went to Kandahar I was accompanied by two other people and they took me to the house. I did not know where it was before arriving. I have told this story before but if you want me to explain again I will.

Presiding Officer: We have it from your previous testimony.

Detainee (through translator): I know you have the files with all the information and you may review it at any time.

Board Member: How many guests were in the Aziz house?

Detainee (through translator): They were guests of the Aziz house, the same as they are guests here. Approximately 15.

Board Member: Do you know the name of the house in Kabul?

Detainee (through translator): Yes, the Arab House.

Board Member: In the Aziz house did you have the proper identification for the Pakistani authorities?

Detainee (through translator): When I left for Pakistan I did not have an entrance visa. I only had a phone number in Karachi and the name of a friend, "Aziz." I did not know Aziz before. The person that gave me the phone number said that if I get into Pakistan to call this person and he will help me get an exit visa to get into Yemen. That is all the information I have about the house and the owner of the house.

Board Member: How long did you stay in the house?

Detainee (through translator): I do not remember exactly, but I think approximately two weeks. I have forgotten during the time that I have stayed here. But around two weeks.

Board Member: So were you hiding in this house?

Detainee (through translator): As far as I am concerned this house was a place for me to stay until I got my exit visa. I was not hiding from anything. Just temporarily waiting for my exit visa. I did not care if the Pakistani authorities captured me because I did not do anything to them. I wanted to exit the country without going to prison.

Board Member: Why did not you go to the Yemeni Embassy?

Detainee (through translator): I did not know where the Yemeni Embassy was in Pakistan. If I get the visa and exit it is better than going to the embassy because they may cause me trouble. They may ask me how I got there without a visa. If I knew I would have been captured by the Americans, I would have gone to the Yemeni Embassy. I think that would have been better for me than being captured by the Americans. I understand that is my embassy.

Designated Military Officer: (3.c.2) The Arab House was a Taliban sponsored safe house for Arab Mujahedin in Kandahar.

Detainee (through translator): This is the first time I have heard this. It was an open house. I have no idea if it was managed by the Taliban or not.

Presiding Officer: Do you know if any of the others staying there were Mujahedin?

Detainee (through translator): Yes, I think they were Mujahedin.

Designated Military Officer: (3.c.3) The detainee made three trips delivering money in Herat, Afghanistan.

Assisting Military Officer (*for detainee*): I traveled to Herat, on two occasions. I left because I could not justify fighting fellow Muslims. I attempted to leave Afghanistan but could not get an exit visa. While I was at an Arab house in Kabul, I heard someone preach about how not everyone came to Afghanistan to fight, that some came to help out the needy of Afghanistan. I went to the Kandahar Arab house where I stayed for one month. I met an individual there who asked me to carry some money to Herat for the relief effort because he was married with a wife and children and could not get there himself to deliver it. Abul Hanna was supposed to distribute this money for the needy of Herat, since it was winter and that year it was very cold.

Detainee (through translator): I do not have any comment.

Designated Military Officer: (3.c.4) The detainee was given 2,000 Saudi Riyals, 20,000 Pakistani Rupees and about 10,000 Pakistani Rupees worth of Afghan money to be taken to Herat, Afghanistan. The detainee met the assistant governor of Herat, who directed him to an unidentified Afghan who took the money.

Detainee (through translator): Yes. I said that when I met with you for the first time. The answer is connected to another one.

Board Member: So how much [money] did you take on the second trip?

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Detainee (through translator): If you add all the money together it does not [equal] more than \$1,000. The detail of the money is in the interrogation.

Presiding Officer: When you say \$1,000 do you mean U.S. dollars?

Detainee (through translator): Yes.

Board Member: Why did not the governor take the money?

Detainee (through translator): I do not understand the question.

Board Member: Why did the assistant governor tell you to give the money to another man?

Detainee (through translator): When I went to the assistant governor he was expecting a large sum of money. He did not want to take a small sum so he sent me to another person. I mentioned all of this at the interrogation.

Presiding Officer: So because it was not a big donation, he sent you to one of his co-workers?

Detainee (through translator): Yes, this was a place for the needy place [people].

Board Member: Did you do anything else in Herat?

Detainee (through translator): No.

Designated Military Officer: (3.c.5) The detainee was identified by another individual (who worked for al Wafa) as having been present at Aziz's Karachi guest house. Aziz is an alias for al Qaida member, "Riyadh" the Facilitator.

Detainee (through translator): You asked me and I have answered you. You have it there. We do not have anybody just the name Aziz that is Arab. Most Arabs would be called Aziz Abdul, the "servant of." It is one of the most beautiful names of God. So only in Pakistan and Afghanistan would someone be called just "Aziz". He is not Arab. I thought this house was Pakistani because I had my family with me. I did not think anything of it. I was dealing with the Pakistani that owns the house. His name was Aziz. If there is another Aziz other than this one, I have no idea.

Designated Military Officer: (3.c.6) The detainee is a Yemeni national who is an al Qaida member who fled Afghanistan and stayed at a guest house in Pakistan.

Detainee (through translator): I was asked this question in the interrogation. I had never heard of al Qaida until I was captured by the United States. I do not believe in what al Qaida believes in. They believe in killing and fighting.

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Presiding Officer: If you have never heard of them then how do you know what they believe in?

Detainee (through translator): I learned about al Qaida from the interrogators. They talk about the things that al Qaida have done. I do not believe in them.

*Break for a brief recess.*

*Session reconvened.*

The Assisting Military Officer provides clarification to the board regarding 3.c.1 and states the issue will be revisited.

Designated Military Officer: (3.c.7) The detainee has been identified, as being part of a group of Yemenis that were considered to be dangerous extremists, and were still active in Sanaa in April 2002.

Assisting Military Officer (*for detainee*): This is not true. I do not get involved nor am I interested in politics. I was not involved in any politics until I was arrested.

Board Member: Did you know anyone that was part of this organization?

Detainee (through translator): If I say I am not involved in politics or any organization that deals with politics, how would I know one of them?

Board Member: It might be someone that you knew.

Presiding Officer: I believe the question refers to maybe the mayor of your town; the governor of your province . . .

Detainee (through translator): This is an extremists group that works against the government. If they are working against the government then why would the governor of the town be involved with the group? I do not believe they would be involved in the group. No.

Board Member: Did any of your friends or family travel to pursue jihad?

Detainee (through translator): No.

Designated Military Officer: (3.d.) Other Relevant Data. (3.d.1) The detainee explained he had traveled to approximately four or five different countries throughout his life, which began when the detainee left Yemen for Saudi Arabia with his father. Other countries the detainee visited include: Afghanistan, Pakistan, and Turkey.

Assisting Military Officer (*for detainee*): I question the relevance of this statement but I did travel to those countries.

Detainee (through translator): If someone travels from here to Saudi Arabia, does this mean they pose a threat? Yes, I traveled to those places for my own personal reasons.

Board Member: Were your passport and visa properly stamped when you traveled to these countries?

Detainee (through translator): Yes, and you have my passport.

Designated Military Officer: (3.d.2) The detainee traveled through Syria on his way to Afghanistan; he also made two other trips to Syria. On the second trip, the detainee flew to Baku, Azerbaijan.

Assisting Military Officer (*for detainee*): This statement is true.

Detainee (through translator): Yes, and does this hurt anyone? Does this mean I pose a threat?

Designated Military Officer: (3.d.3) The detainee was detained by Pakistani police with 6,000 United States Dollars, 2,700 Saudi Riyals, 6,000 Pakistani Rupees, a camera, and a new cellular phone.

Assisting Military Officer (*for detainee*): This is correct. That was my money and the Americans were there when the Pakistani police took it from me.

Detainee (through translator): I would like to add that it was \$6,300 and here they only mention \$6,000. I am not saying that because I want this money back. I am only saying that this was my personal money. What is wrong with that?

Presiding Officer: Are the Riyals and Rupees correct?

Detainee (through translator): Yes.

Presiding Officer: What about the camera and cell phone?

Detainee (through translator): In the interrogation, I informed them of the sources of all the items. You have everything you need to know about that.

Board Member: Could you briefly explain how you got so much more money?

Detainee (through translator): I do not understand the question.

Board Member: You left Yemen with \$2,000 United States Dollars. You were arrested with \$6,300 United States Dollars. How did you make the additional money?

Detainee (through translator): I am not afraid to answer the question. In the countries of the Gulf, there are rich people that give money to Afghanistan. They give money to help the Mujahedin.

*The translator explained the Arabic word for aid and the seasons in which it occurs.*

Presiding Officer: When did you gather the extra money? You left with the \$2,000 that you saved. You got \$500 from Abul Abdul Rahmad. You were arrested with \$6,300 United States Dollars. So where and when are you picking up this extra money?

Detainee (through translator): I stayed in the house for one month and I was sick when I came to Afghanistan. During that period people visited and gave me money.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The detainee stated that he had never received any type of training in Afghanistan because it is well known that Yemeni citizens know how to use weapons. The detainee had sold the only weapon he owned prior to his marriage because he needed the money.

Detainee (through translator): When we were talking before you said that the AMO would have additional information that he would like to clarify, where is this additional information?

[The AMO explained to the Board that the detainee is referring to his answers from another question (3.b.1). The AMO indicated that the detainee accused him of reading the previous years Unclassified Summary. In response, the detainee advised the AMO that his answers were the same as the year before. The AMO explained to the detainee he was only reviewing the previous year's responses. The AMO asserted to the ARB that if he had not reviewed the previous year's Unclassified Summary with the detainee, the detainee probably would not have attended the ARB.]

Detainee (through translator): I was thinking that there was more information you wanted to discuss, such as the weapons because it was mentioned before.

Presiding Officer: [Repeated 4.a and the detainee's response]

Detainee (through translator): After I got married things were calm so I did not need a Kalashnikov at home.

Designated Military Officer: (4.b) The detainee was adamant about the fact that while in Afghanistan he did not fire any weapons, kill any people or fight in any way.

Assisting Military Officer (*for detainee*): This statement is true and I have never fought the Americans.

Designated Military Officer: (4.c) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001 and also denied knowledge of any rumors or plans of future attacks on the United States or its interests.

Assisting Military Officer (*for detainee*): This statement is true.

Designated Military Officer: (4.d) The detainee never received permission from anyone to leave the front lines. The detainee felt it was wrong to fight against his Muslim brothers so he returned to Kabul on his own.

Assisting Military Officer (*for detainee*): I felt it was wrong to fight against other Muslims and so I returned to Kabul on my own. I was never in the front lines but served on guard duty in the rear area.

Presiding Officer: Did you serve as an assistant officer in Khvajeh Ghar?

Detainee (through translator): I answered the question before and the answer was no.

Presiding Officer: Yes, you said you were never in northern Afghanistan, but did you ever serve as an assistant officer in Khvajeh Ghar?

Detainee (through translator): This statement is against me. It says I was in northern Afghanistan working as an assistant officer. I said that I have never been in northern Afghanistan. So how can I be an assistant officer and not have been in northern Afghanistan?

Board Member: Were you an assistant officer in Kabul?

Detainee (through translator): I was a night guard.

Board Member: Can a man just walk away from the Taliban without any discussion or consequence?

Detainee (through translator): I went on my own. I volunteered to leave. Jihad is not jihad for the Taliban. It was jihad for God. So when I found out that I was fighting other Muslims I left on my own and I was free to do so.

Board Member: Is it okay to fight jihad against non-Muslims?

Detainee (through translator): Jihad is only to fight and defend yourself, your interest and your country. It is not to attack innocent people. It is self defense.

Presiding Officer: In your first response, you indicated that you did go to Afghanistan to fight jihad. You also said that there are different kinds of jihad other than fighting. None of those things applied to you. Afghanistan is not your country; your family was not there; and you were not being offended. How does jihad apply?

Detainee (through translator): I was defending my religion. My brother Muslims were attacked by socialists just as they were in Yemen. I went to help. After I found out they were Muslims I left.

Presiding Officer: You fought jihad in defense of your religion.

Board Member: Did you fight the socialists in Yemen?

Detainee (through translator): No. I did not know anything about politics until I got captured. Once I was captured and detained, I learned a lot of things about the organization of other countries, their rules, and laws. It was not my job to interfere in the relations of other countries, but it was ignorance on my part. I learned this lesson here after I was captured.

Designated Military Officer: (4.e) The detainee claims that while at the Aziz guest house he did not see any weapons and did not associate with anyone there.

***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 Detainee made the following statement:***

First of all, the allegations that cause me to be here in Cuba, such as I had a certain amount of money, I have been to certain places, does not cause me to be a threat to the United States. These are normal things that normal people do in their normal lives. I do not know how I harm America by doing these things. I am not one of the people that attack Americans. So why are they keeping me here and not sending me home? Second, I was asked by the AMO, "What will you do if you are released?" I told him I would live a normal life like any other human being. I have a family and a house. I would sacrifice my life for my family. I would find a job that would help me to provide for my family and myself. I know a lot of things because I worked in construction and in commerce, so it would be easy for me to make a living. I hope the American judges will know that I never posed a threat. I was just in the wrong place at the wrong time. If the AMO has anything to add that will help me, I hope he will do it.

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

*The Assisting Military Officer had no additional information to present.*

*Administrative Review Board Member's questions:*

Board Member: Were you following a fatwa when you traveled for jihad?

Detainee (through translator): No, it was just something that I learned from my religion.

Board Member: Would you follow a fatwa if one was issued against the United States?

Detainee (through translator): I am not responsible for or to the United States or the world; however, if you attack my country I will fight and defend it.

Presiding Officer: You said you did not know anything about al Qaida, do you consider yourself Mujahedin?

Detainee (through translator): I did consider myself Mujahedin before I left. Now I am not Mujahedin, I am a detainee. When I leave I won't follow that path. I will care for my family. I hope that you are people of justice because you swore an oath. I understand that you must defend your country, but how do I pose a threat? I was never against the United States.

*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.



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**Summary of Administrative Review Board Proceedings for ISN 579**

***The Administrative Review Board was called to order.***

***The Detainee entered the proceedings.***

***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 declined taking the (Muslim) oath stating that he will start his statement in the name of the most kind and gracious God.***

***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 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 20 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 said he wanted to think about it. The detainee was attentive throughout the interviews. The detainee was offered both an English and Pashtu translated Unclassified Summary of Evidence, and accepted the Pashtu version.

On 21 June 2006, a follow-up interview was conducted and the detainee stated he would attend the ARB and wished to respond orally to each statement of information in the Unclassified Summary of Evidence. The detainee requested time to make written notes to remind him of issues he wanted to present to the ARB, which was granted. At the end of the interview the detainee was allowed to retain his notes for use at the ARB. The detainee appeared at the interview wearing an orange uniform.

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

Presiding Officer: Khirullah, you have chosen to respond to the information in the Unclassified Summary, is this correct?

Detainee (through translator): Yes.

Presiding Officer: The DMO will read each item from the Unclassified Summary. He will then provide you a chance to respond. Board members may ask you questions based on your response.

***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) The following factors favor continued detention: (3.a) Commitment (3.a.1) In 1994, when the Taliban started their rise to power, the detainee traveled from Pakistan to Afghanistan and lived in Spin Boldak, Afghanistan.

Detainee (through translator): In the name of the most gracious and compassionate God, it's no doubt that I was a member of the Taliban, and I did whatever the Taliban was supposed to. My purpose was not to fight, but to bring security to the country. Because of that, I cooperated with these people. The condition was so bad that people would be happy to have a Russian government.

Presiding Officer: I thought I heard you say that the Taliban was happy with the Russians being there. They didn't care that they were the government in charge?

Detainee (through translator): The condition in Afghanistan was so bad that people wished to have had the Russians instead of these people [the Taliban] as a government.

Designated Military Officer: (3.a.2) The detainee acted as the Pashtu spokesman for the Taliban from 1994 to 1999.

Detainee (through translator): I joined the Taliban for no other purpose but to bring stability and security to the country.

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Designated Military Officer: (3.a.3) The Taliban chose the detainee to become their spokesperson for BBC and Voice of America (VOA). As Taliban spokesperson the detainee traveled to Chaman, Pakistan; Kandahar, Afghanistan; Charasia, Afghanistan; county of Kabul, Afghanistan; and Mazar-e-Sharif, Afghanistan.

Detainee (through translator): This is true. I was the Pashtu spokesman and my job was to give Pashtu news regarding the war. I was not the Taliban spokesman.

Designated Military Officer: (3.a.4) While serving as the Taliban spokesperson in Spin Boldak, Afghanistan, the detainee also served as county supervisor in that area.

Detainee (through translator): Because there was no telephone in the whole Afghanistan, I had to cross the borderline to go to Chaman to interview or be interviewed for news about Chaman. When I was living in Spin Boldak, I was cooperating and helping the local governor, and yes I was helping him. There is not a word to describe the local government agent because we cannot say mayor or sheriff.

Presiding Officer: The top official for that town?

Detainee (through translator): Yes, sir. The top person in charge of the county.

Designated Military Officer: (3.a.5) The detainee is a former Taliban Interior Minister and was the commander of Taliban forces that took Mazar-e-Sharif in 1996.

Detainee (through translator): I have a question. I was the Minister of Interior, I was the commander of the Army, I was the spokesman for the Taliban, and later it will state that I was shipping weapons as well. If you look at the dates, I had four jobs at the same time. So, which one is it? The jobs are very different. Shipping weapons is done by low ranking people and being Minister of Interior is a very high-ranking position. They don't add up.

Presiding Officer: Agreed.

Detainee (through translator): When the Taliban took over Kabul, they asked me to stay in the Minister of Interior building as the supervisor of that ministry until we appoint ministers and other high ranking people. When they officially announce the real ministers, if you find my name there that will be all right. Yes, I went to Mazar-e-Sharif, and I was cooperating with them. I was doing my share, but I never shipped weapons. I was a spokesman. There is no doubt that I had helped them and cooperated with them. If not too much trouble, I would like to go to the bathroom.

Presiding Officer: Did you not use the bathroom before you came in here?

Detainee (through translator): Yes. I have problems.

Presiding Officer: We will take a brief recess while the detainee uses the facilities.

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**Presiding Officer:** *The Administrative Review Board for Khirullah Khairkhwa is now reconvened.*

Detainee (through translator): I was not a military person. I was not part of any activities regarding the military.

**Presiding Officer:** So, you were not a commander of the Taliban Forces?

Detainee (through translator): No.

**Designated Military Officer:** (3.a.6) The detainee worked as a deputy sheriff in Spin Buldak, Afghanistan and knew of shipments of Taliban-seized weapons from Mazar-e-Sharif to Kandahar, Afghanistan.

Detainee (through translator): Like I mentioned earlier, this is one of the jobs I had at the same time. Nobody can do that.

**Presiding Officer:** So you were not a deputy official in Spin Buldak?

Detainee (through translator): As I mentioned earlier, I was cooperating with them, but I was not a deputy.

**Presiding Officer:** Did you know of shipments of weapons that were seized by the Taliban?

Detainee (through translator): Yes. It was Kalashnikov.

**Presiding Officer:** So, you were familiar with weapons being seized?

Detainee (through translator): From the local people who mostly had Kalashnikov rifles, that's why I am talking about Kalashnikov rifles. I am not a commander to know about other weapons. My cooperation with them [Taliban] was to explain to the public that these weapons were to be collected and that security would be in danger if the public had weapons or rifles.

**Board Member:** What happened to those weapons that were collected?

Detainee (through translator): They were brought to Kandahar. In the northern side, even women had weapons. [General] Dostum hired people to deliver and distribute weapons to those women.

**Designated Military Officer:** (3.a.7) In 1998, the detainee shipped weapons captured by the Taliban to Kandahar, Afghanistan.

Detainee (through translator): Yes. I was cooperating with them and telling the public to give up their weapons, but shipping them was not my job.

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Designated Military Officer: (3.a.8) The detainee was appointed by the Taliban to be Governor of Herat Province to improve relations between Iran and the Taliban government.

Detainee (through translator): I was appointed in Herat. It was not my job to fix the relationship with Iran. As a governor, my job was to have a good relationship with everybody or any country. There were good and bad times. The good time was when Iran opened a consular office in Herat. The bad time was when the consular office burned out and the personnel went back to Iran.

Board Member: What problems specifically did you need to work on with Iran to have a better relationship with Iran?

Detainee (through translator): The most important thing is that the merchandise coming from Dubai to Islam Qala had stopped. That's why I was working with them to make the business of public merchandise go through. All the merchandise in Afghanistan used to come through this way. Iran was the only place Heratis could go to receive medicine or treatment because they could not go to Pakistan. Also, there were work opportunities in Iran. You are aware that, in Iran, there are thousands of refugees and, with a better relationship between Iran and Heart, it became very easy for them to go back and forth.

Designated Military Officer: (3.a.9) The detainee was trusted by the Taliban to keep order in Herat, Afghanistan, and to send taxes collected back to senior Taliban members.

Detainee (through translator): Taxes belong to the tax department in the Ministry of Finance; security belongs to the Police Department. When there were problems with either of these departments, I would intervene. I would also intervene when there were problems with the merchandise. I was the link between the public and the government.

Presiding Officer: Did you collect taxes?

Detainee (through translator): Taxes belong to the tax department, not me.

Presiding Officer: Did you have anything to do with sending taxes back to the senior Taliban?

Detainee (through translator): Taxes were collected through the bank and only people with a certain authorization paper from Kandahar could withdraw money. There was a lot of cash flow in Heart. If I had access to that money, there is a possibility that I would become a much bigger guy than the Taliban leaders.

Board Member: Are you saying you were not directly responsible for the money?

Detainee (through translator): No. It was out of my control.

Designated Military Officer: (3.a.10) After arriving in Herat as Governor, the detainee spent much of his time establishing himself as the premier narcotics trafficker in the

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region. The detainee purchased three walled compounds in Herat and transformed these compounds into large storage facilities for opium and vehicles, which would be used in smuggling operations.

Detainee (through translator): There are two very important allegations against me: This one and another that will come later on. I declare that no one can prove that I know anything about narcotics or opium. If they prove it to me, then I will answer them. Except for the heritage that came from my father, there is not one foot of land, or a building, or a store, or a shop in my name. If I had bought some land and was involved in trafficking opium, I would have to get it from somebody and no one can say that.

Board Member: As governor of Herat, is narcotics trafficking a major problem in Herat?

Detainee (through translator): Before the Taliban prohibited it that was like regular business.

Board Member: As governor for the Taliban, were you involved in prohibiting that business?

Detainee (through translator): Yes, after it was made illegal.

Designated Military Officer: (3.a.11) On 25 October 2001, the detainee provided money for troops and money for fuel purchases used to send 300 men from the Taliban 17<sup>th</sup> Army Division in Herat to Sabzak Pass in Badghis Province.

Detainee (through translator): As I mentioned earlier, there was a government that allocated a budget for each division or platoon. It was not my job to send any military platoon or division to any place.

Designated Military Officer: (3.a.12) The detainee fought against the Northern Alliance and United States forces in November 2001.

Detainee (through translator): It is said that when bombing started, I went to Kandahar, so where did I fight the Northern Alliance?

Designated Military Officer: (3.a.13) When bombing of Afghanistan started, the detainee traveled in a convoy of 10 vehicles to Arghastan, Afghanistan. The vehicles were full of weapons.

Detainee (through translator): The cars contained Taliban officials and we surrendered them to the new government. The vehicles had no weapons in them.

Designated Military Officer: (3.b) Training. The detainee received military training for a short period of time at Camp Marof, near Kandahar, Afghanistan, when the detainee was in his teens.

Detainee (through translator): This is a misunderstanding that they haven't cleared up. The truth is that they asked me whether I have done Jihad; I told them that I did it for a few days when I was a young boy. That was during the time of the Soviet Union occupation.

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Presiding Officer: Did you receive any military training at all?

Detainee (through translator): No.

Designated Military Officer: (3.c) Connections/Associations. (3.c.1) As Taliban spokesperson, the detainee met many influential Taliban leaders. On one occasion at the Kandahar Airport, the detainee saw Usama bin Laden with his entourage.

Detainee (through translator): Yes, I had seen the top leader, but I had not talked to him. One time, I went to Kandahar Airport and accidentally saw him. I had not conducted any meeting with him. After we prayed at the Mosque, we kind of shook hands and talked. When I asked about them, I was told they were Arabs remaining from the time of the Russians. Since that one time, I had not seen him. My job was to give war news to the public.

Board Member: Khirullah, you are saying during your time as governor of Herat after you were a spokesman for the Taliban, you never met Usama bin Laden again?

Detainee (through translator): Except that one time, I never saw him again.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.2) The detainee was known to have close ties to Usama bin Laden.

Detainee (through translator): If anybody has a witness or anything, show me one proof or a recorded conversation that I had seen or talked to him. I am wondering where this statement comes from. There are a lot of Taliban officials now living in Kabul that you trust. You can ask them about me. Those people know me better than my enemies in Afghanistan because they were sharing the government with me and they knew what I was doing.

Designated Military Officer: (3.c.3) In 1996, the detainee attended a meeting in Kandahar, Afghanistan, which included jihad fighters and guest of Usama bin Laden, who was also present.

Detainee (through translator): That never happened.

Designated Military Officer: (3.c.4) On 07 January 2000, the detainee and three other Taliban officials attended a meeting with Iranian and Hizbi Islami-Gulbuddin Hikmatyar faction officials. Topics of discussion included United States intervention in the region, restoration of peace in Afghanistan, and strengthening the Taliban's nascent ties with Iran.

Detainee (through translator): Yes. There was a meeting with the Taliban delegation on Iran's soil. There were no Gulbuddin representatives.

Board Member: During the meeting about restoration of peace in Afghanistan and strengthening the Taliban's nascent ties with Iran, what ties were you strengthening?

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Detainee (through translator): The Iranians were trying to make peace between the Northern Alliance in the Taliban. That was the agenda of the meeting. It was not about improving the relationship with Iran.

Board Member: Thank you.

Presiding Officer: Did it include discussions about the U.S. intervention in the area?

Detainee (through translator): They said to join the Northern Alliance in order to defend Afghanistan.

Designated Military Officer: (3.c.5) In the fall of 2001, the detainee met with senior Taliban leaders for a period of approximately 10 minutes, at a house across from the Kharq-e-Sharif shrine.

Detainee (through translator): A Taliban leader's brother had died and I went to a ceremony for the wake in his house, which is different.

Board Member: Are you talking about a funeral?

Detainee (through translator): Sympathy.

Designated Military Officer: (3.a.6) In November 2001, the detainee met with an Iranian diplomatic delegation. The Iranian Government was prepared to offer anti-aircraft weapons to the Taliban for use against the United States and Coalition Forces operating in Afghanistan.

Detainee (through translator): This never happened. This talk took place in the first meeting.

Presiding Officer: The meeting in January 2000?

Detainee (through translator): It only happened in the first meeting. The Iranians offered to buy weapons for us because we were on restriction and could not buy them. That is the truth.

Presiding Officer: It says they were prepared to offer anti-aircraft weapons. Did they ever provide them?

Detainee (through translator): When the delegation went back to Kandahar the bombing started, so the proposition fell apart.

Designated Military Officer: (3.a.7) On 20 December 2001, the detainee met with Taliban leaders in Afghanistan.

Detainee (through translator): Maybe yes, maybe no. I don't remember.

Designated Military Officer: (3.a.8) When the Taliban lost control of the government, the detainee called a senior Taliban leader for counsel. The detainee met with one of the leader's representatives and discussed the new government and the detainee's future safety.

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Detainee (through translator): This is not true. I talked to the new government representative, Karzai, by telephone and I inquired about a job opportunity. This is the fact.

Presiding Officer: Thank you.

Designated Military Officer: (3.d) Intent. The detainee has instigated other detainees to cause problems, including making noise, not eating, killing themselves, not showering and pushing the door during a search.

Detainee (through translator): These allegations are false. Soon you will hear that two days ago, I was trying to kill myself. There was no spoon in my meal so I asked the guard for one. A few other detainees shouted that they did not have spoons either. The sergeant said he was sorry and that from orders of his boss, he could not provide me with a spoon. When I asked for the reason, he said that I was trying to kill myself and encourage others to do the same. A block sergeant came in to search my cell and two other detainees for spoons. I went on hunger strike for two days because the guards were treating me badly. At that time, I was at Camp V. I did not encourage anyone to kill themselves. Today the guards gave me a new set of clothes. I was wearing only one shirt in the cell after a guard brought a black shirt and asked me to wear it. The guard said that was a psycho shirt for people trying to kill themselves. This sergeant number is 560.

Presiding Officer: Thank you.

Designated Military Officer: (3.e) Other Relevant Data. (3.e.1) In February 2002, the detainee traveled to Chaman, Pakistan.

Detainee (through translator): Yes. I was sick and went there for treatment and came back.

Designated Military Officer: (3.e.2) During the second day in Pakistan, the detainee went for lunch to the home of the former Taliban Governor of Kabul, Afghanistan. Pakistani authorities arrested the detainee when they raided the house in a search for the Governor of Kabul.

Detainee (through translator): Yes. They came for him and I was there. That was my destiny.

Presiding Officer: So you were there to visit the former governor of Kabul?

Detainee (through translator): I was in another house where he came and invited me to have tea with him. I went to his house and was arrested there.

Presiding Officer: Did they also detain or arrest him?

Detainee (through translator): No. They didn't arrest him. He left.

Designated Military Officer: (4) The following primary factors favor release or transfer. (4.a) The detainee stated that upon his return to Afghanistan he will rest.

Detainee (through translator): Yes.

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Presiding Officer: When you return to Afghanistan, other than rest, what are your other plans for employment?

Detainee (through translator): It depends. If my service is needed, I will serve the public. If not, I have some land and if there is water, I will do some farming. I can also go to the city and work. I want to live in my country unless there is some type of situation that will make it hard for me to live there in which case I will go far away and ask for political asylum.

Designated Military Officer: (4.a.1) The detainee stated if the government is stable he intends on being part of the government. He will grow crops and work at the bazaar.

Detainee (through translator): If the government needs my service, I will serve the public. If not, I will grow crops or work at the bazaar in the city. There is a delegation that came here and some of them don't want me to be released.

Presiding Officer: Did you hear the Afghan delegation say something?

Detainee (through translator): They told me that they had doubt about my Afghan citizenship. I have land there, I have citizenship identification and they accused me. I didn't like that.

Presiding Officer: Did you meet with an Afghan delegation recently?

Detainee (through translator): Yes. Most of them were good people, only two of them would not be happy to see me release.

*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.*

Presiding Officer: Khirullah, do you wish to make a statement? This is the time you couldn't tell us something that was not covered in the Unclassified Summary.

*The Detainee made the following statement:*

Detainee (through translator): I never had any connection with any organizations. I worked for the Taliban government to serve my country. I don't have any connection with any neighbor countries. I am from Afghanistan and I would like to live in Afghanistan. I am an Afghan. If I am trusted by my people to serve them, I would like to serve them; otherwise, I will stay home. One of my neighbor countries sent me to you. I am ready to answer any wrong allegations anybody told you. Thank you very much for giving me an opportunity to talk.

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Presiding Officer: You're welcome. Khirullah, does that conclude your statement?

Detainee (through translator): Yes sir.

*The Assisting Military Officer stated that he had no additional comments.*

*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: When U.S. forces began bombing Afghanistan, why did you travel East versus going to Iran?

Detainee (through translator): That's a good point. It's because I wanted to stay in my own country. I was responsible for Herat, but my village, my people, and my land were in Arghastan, Kandahar.

Board Member: Thank you.

Presiding Officer: Khirullah, do you have anything else to present?

Detainee (through translator): No. That's it.

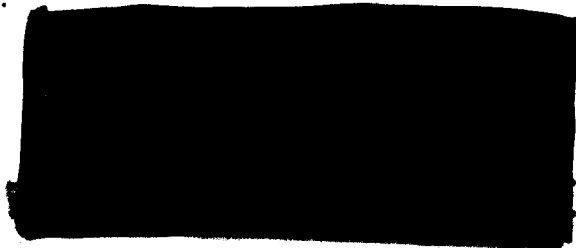
*The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.*

*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.



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**Summary of Administrative Review Board Proceedings for ISN 627**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

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

Presiding Officer: I understand from the AMO and Translator you do not desire each item to be translated because you do speak and understand English.

Detainee: That is correct.

*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, 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 initial ARB interview was conducted on 4 December 2006. After reviewing the ARB's purpose and procedures, the English 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 said that he would attend the ARB. The Detainee was extremely cooperative, polite and conversational during the entire interview. Copies of the English and Arabic translated Unclassified Summary of Evidence were provided to the Detainee, who accepted both copies.

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*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 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): The Detainee stated he was easily persuaded by friends in Pakistan to attend training in Afghanistan. The Detainee traveled with a small group of friends from Pakistan to Afghanistan to fight against Soviet occupation forces. The detainee stayed at the Khalden Training Camp in Afghanistan for two to three weeks and then moved to the Hugay area in Afghanistan where he stayed for approximately one month.

Detainee: This period was 1988 when I was seventeen. It was not a training purpose. It was a visit because I was waiting for my admission. I found an Afghani refugee. This Afghani refugee advises me to go to Afghanistan to see the atmosphere also to see if there was a chance for me to help the refugee or others. The person that was named by Muhebu Allah who was Afghan from Lowgar and I decided to visit. They mentioned Khalden Training Camp and I've never been to Khalden area because I was to Bagi area. This area is a village to Professor Sayyaf, the leader of one of the North Alliance. It is out of Badakhshan by a half hour. I stayed in Bagi area. I never stayed Khalden. I explained for my interrogators when they asked about the Khogyani because it's not famous and it's not present on the map where it can be located. I said that it was near Khalden area. I explained the location by terms of Khalden. I never explained that I had been to Khalden Training Camp. Second, I want to explain what is the Khalden. It is a name for an area in Jordan that's called Khalden Camp for Palestinian Refugees. It's named Khalden in Afghanistan by Professor Abdullah Azam because he assessed a training camp in this area for the Arabs and foreigners. Khalden is never mentioned on the map because it is an Arabic word and term.

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Designated Military Officer (3.a.2): The Khalden Camp is an al Qaida training camp near Kabul, Afghanistan. Instruction at the camp included urban guerilla tactics, physical conditioning and endurance.

Detainee: I don't know where this information comes that belongs to you because I've never been to Khalden. I don't know the location and I never attend any training camp. I stayed 15 days at Babi to have a vehicle to Afghanistan and I stayed one month inside Afghanistan Khogyani area and I've never been to Khalden. I don't know about the activities of Khalden. From 1987-88, it still was under the supervision and the work of Professor Abdullah Azam. It wasn't mentioned yet under al Qaida. Al Qaida announced themselves about 1988 by the name of al Qaida Organization and this time it wasn't even labeled by the name of al Qaida. There are no areas called al Qaida in Khalden.

Designated Military Officer (3.a.3): The Detainee stated he decided when he was in Saudi Arabia to go to Chechnya to assist in a medical capacity. The Detainee was advised in Yemen that there was an opportunity for him to get to Chechnya in Afghanistan. The Detainee traveled to Karachi, Pakistan and then to Lahore, Pakistan. He traveled to Kandahar, Afghanistan with a group by crossing the border near Quetta, Pakistan. This trip was facilitated through the office of the Taliban.

Detainee: I went by order from area to area and this was about 2000. From 1988 to 2000, there were no activities for me to support Afghani's issue. I was busy in my study and since I finished my primary, then I finished mostly the high post-graduate studies from 1989-2000. I know every issue and every aspect about Afghanistan because it was our neighborhood country. I listened about the Chechnya from the media and Yemen because we have the facilities and the satellite to show every aspect in Chechnya. I decided to go on my vacation to help. I traveled to Saudi Arabia and I asked a humanitarian organization to help me to Chechnya because they have their organization that is working all over the world and their head office is in Canada, it's called Al Mobara. They told me directly that if I have an American passport you can go to Chechnya. If the Russians find you by any other passport except American they will meet you at the airport and send you by the same flight you came on back to your country. So they refused to let me into Chechnya, and they said if you can go by Pakistan or Afghanistan you can go there by their ways. I decided to go back to my place, Pakistan, because I stayed there from 1988-2000, it's about 12 years. There was no need to summon permission from Yemen; I have most of the information from when I was in Pakistan. I decided to go to Afghanistan to ask and they said the border is always closed to Chechnya for most of the year except for four months and there is no chance for anyone to go through there except if he's got a diplomatic passport or a foreign passport or he's highly qualified. So they decided to make me a visa to other region. They said there is a military hospital and there isn't in other region and they help Chechnya refugees. If you want to give your medical assistance for the refugees you can travel to the other region and from the other region you can help all the refugees there. This hospital was used during war between other region and Armenia. I send a message for

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them again and they said they cancelled visas of 70 countries. They labeled the organization aiding the terrorist. So it's not well for you to have trip to the other region so I decided to wait until I got another chance. My study period is three years clinical course attached beside two years experience so I was taking about two years to follow my thesis and my project. So I was not attending the hospital, I was studying and following my cases, so I was free most of the time to provide the medical assistance. Beside this, if I want to extend my period to be in the hospital for most of the time I must pay 5000 American dollars per year. So basically, I did the three years with the fee and then I stayed to complete my study and to follow my case. I was free most of the time and I tried to help the refugees and homeless people. I tried to go to Chechnya and even Afghanistan was near for me but I feel it is a country helping Afghanistan with Uzbekistan and it's a lot of medical assistance through this area and there is no need to go to Afghanistan. From 1988-2000, I never attempted to go to Afghanistan because I know the condition from the first visit. So I was trying to go to any other country like Chechnya to help the refugees only.

Board Member: So did you go to Azerbaijan?

Detainee: No. They said the visa was cancelled for 70 countries including Yemen.

Board Member: So did you travel from Pakistan to Afghanistan facilitated by the office of the Taliban?

Detainee: I have traveled before in 1988, so I know the rules. This is one, and number two, when I'm asked to go to Afghanistan I ask for a merchant, he's a Palestinian guy, carrying a refugee document from Lebanon. He was dealing in drive through between Afghanistan and Pakistan and exported to the gulf. He said to me that we are going through the Taliban office because they aren't allowing anyone to go to Afghanistan without their permission. So he guided me to go to the Taliban office in Karachi and ask them about the rules and facilities on how to go to Afghanistan. Because the first time I go from the North area which was Peshawar in 1988, but now the new entrance is from Quetta. They allowed the refugees and the business people to go from Quetta to Kandahar only and they banned the travel between North area and Kabul. So I decided to go to Karachi again and I visit the Taliban office and I inquire about the visit and how we could proceed.

Designated Military Officer (3.a.4): The Detainee stated he stayed at the Hajji Habash Guest House when he traveled to Kandahar, Afghanistan in June 2000.

Detainee: I said I stopped at Hajji Habash Guest House because the taxi driver and the cops are checking the place from Taliban Guest House which is directly from Hajji Habash Guest House. The Hajji Habash Guest House was the only guest house for foreigners to proceed in Afghanistan. I stopped there to ask where I could go and I stayed in the clinic, it was about 50 meters from Hajji Habash Guest House and it was a

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clinic for everyone. So Hajji Habash if you want to ask any who has been to Kandahar they must be to Hajji Habash Guest House by any way because they are not sending you with any facilitators. They take the taxi cab from stand to the guest house of Taliban and I guess it's officially a house for them from the Pakistani government. Even the phone line and facilities was given to them free. It was like a consulate type. They carrying all the injured people, the donations, and they send the travel and they have their ambulance as well. So they send me to Hajji Habash earlier by the cab and from Hajji Habash they will know I am a doctor and to send me to the clinic. I was not at Hajji Habash but I stopped by Hajji Habash area.

Designated Military Officer (3.a.5): The Niberas and Hassan Guest Houses located near the Haj Habash Mosque in Kandahar, Afghanistan were al Qaida guest houses.

Detainee: From where they got these two names I don't know. It was only one guest house. I draw a map for all the area. The guest house, mosque, which is called Hajji Habash Mosque and as well the clinic and there was no guest house beside it. Both the terms Niberas and Hassan are unfortunately the two names of the attackers of USS COLE at Yemen. Both the home they attend the suicidal bomb to the USS COLE both of them were named Niberas the first one and the second one was called Hassan. So I don't know how they link me with both of them. It was 1989, and it was nothing for Niberas and Hassan. Secondly, it is not wise to give a name, an Arabic name to an area inside Afghanistan and no one would recognize or know where the area was. But by giving a name such as Hajji Habash it is an Afghani name and is well known to everyone and it is easy to recognize for them. Maybe because I am Yemeni they brought the name of Niberas or Hassan to the area. I never mention it in my inquiry and interrogations and I don't even know those two people. I came to know from some other Detainee from Yemen here, both of those names brought into your inquiry or your notes is Yemeni guys attempt to a suicidal bomb against the USS COLE.

Board Member: So you were there in June 2000?

Detainee: Yeah.

Board Member: Because you mention 1989 for some reason.

Detainee: When I first visited it was 1988 and June 1989, I was in Pakistan in my study. In 2000, I finished mostly the clinical part of my post-graduation. I graduate by the year 1994 or 1995, from basics and I have about five years training post-graduate in general surgery, plastic surgery, and orthopedics.

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Designated Military Officer (3.a.6): The Detainee stated he tried to get to Chechnya again in May or June 2001.

Detainee: I explained this before they said the border to Chechnya was closed most of the year due to snow. It is only four months during the summer, so they said to me if you want to go to Chechnya it must be during the summer. I tried to go by May or June because this is the summer when the border is open. So I got another try to go to Afghanistan to ask about Chechnya because I was free. My period was supposed to finish in Pakistan training course by 2002, and I was near the area so it was easy to go to them. I want to explain a point to you that is very necessary. Pakistan closed the North border between Afghanistan and them, what is Peshawar. They open the border from Quetta to the Southwest to everyone. So the refugees were going freely without visa and without any inquiry. I was going from there without any hesitation, and I was getting guide from the government of Afghanistan. This time it was Taliban. For this reason it was easy for me to go from area to area without any problems. A person can go to Afghanistan every two to three days from Pakistan and no one will ask about them. They closed the border from the North in front of the wall but they have the border in Quetta for everyone.

Board Member: Why were you so motivated to go to Chechnya?

Detainee: I saw that there was no one helping them first.

Board Member: Helping who?

Detainee: Helping the Chechnya refugees. I saw the area of Bosnia bombed badly and I saw a lot of people by listening through the news on how the Russians gave the civilians a chance to escape from cities before they bombed it. They make this pledge attack against them even during their travel from city to city, so I have sympathy for this and know there's thousands of injured and casualties without any medications. I saw on the T.V. and media they treated them in the tents and they don't have any proper hospitals. It was a good chance for me to practice. I spent about three years and I got very good experience in orthopedics at that time because I worked with one of the most experienced orthopedic surgeons. He gave me the chance to go to practice myself in any country and it was very helpful if I go to a country to help them freely. It is very easy, you have a lot of organizations, you got ICRC, you got everyone they come and go and I tried to link with any of these organizations to help the poor people and the death toll of the war. It's in any country, it's not only Chechnya. I am not against the Soviets or the Russians because I got mature enough and I know it is part of their land or part of their politicians but I tried to help. So when they said Ayman you can go to other region I agreed. It was not my idea to go to Chechnya itself because it wasn't dangerous. They offered me other regions and I said okay. They said Pakistan, if you open clinic for the injured or casualties in Pakistan and I got the chance to do it, I will do it. I was not insisting on going to Chechnya itself but I tried to help by my maximum capacity.

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Designated Military Officer (3.a.7): The Detainee stated he stayed in the Ghulam Bacha Guest House in Kabul, Afghanistan for five or six days during his trip to Afghanistan in May 2001.

Detainee: Yeah. There wasn't any hotel for any of the commoners that are coming to Afghanistan by any way. There is a route to travel between the cities. Ghulam Bacha was one of the guest houses for the common people that are traveling to Kabul. Don't forget they are with Ahmed Shah Masoud who can assist to kill or kidnap or do any harm to the foreigners, so they must put the foreigners in some secure place to protect themselves. I waited for 11 days at Kandahar just to wait for the travel to go to Kabul just to find a group of people to secure my travel from Kandahar to Kabul. I went to any guest house because I don't know anyone at Kabul and I went to Kabul to work for any international organization to work under their flags, and Afghanistan for three months because I got vacation from my professor for three months. So I stayed at the next guest house which I don't know for whom. I don't know who was running this guest house and it was for the common people.

Designated Military Officer (3.a.8): The Detainee stated he believed that the Ghulam Bacha Guest House was supported by Usama bin Laden.

Detainee: I believed that later on in about three months, because I came to know when I was in Kabul this Ghulam Bacha tried to fire by the North Alliance Afghani's by some long range missiles. It was aluna missile the second to scud and it blew beside it by 100 meters and it destroyed a cinema house. They did that because they believed that Usama bin Laden may be at this house. So I came to know from these people that they were worried that maybe Usama bin Laden was using this house but definitely he was not because it was inside the city and it was known to everyone. Once it was attacked by the Uzbeks with the gun. So it was another secure place for Usama bin Laden to have his hiding there. I believe that the North Alliance tried to fire on the foreigners there especially the Arabs and they believe the Arabs and foreigners supported by UBL, Usama bin Laden himself, and for this reason they haven't succeeded in killing him. They are suspecting him very occasional and very common places and from my information if there is two foreign defense ministers get an agreement or a call or meet outside, UBL is leaving the cities because he is worried for these meetings or activities so he was just leaving the city for any meetings. So I don't think bin Laden was in the city.

Designated Military Officer (3.a.9): The Detainee stated he visited the al Wafa office director in Kabul, Afghanistan to inquire about working for al Wafa in Kabul. The Kabul office director arranged for the detainee to meet with the al Wafa director in Kandahar, Afghanistan.

Detainee: By good chance they both are here. The director Kabul was here and he was released about six months back or five months and he was called Adel al Zamel and the

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second director al Wafa in Kandahar was Abdullah Alamatrafi and he is here. I first visited one German organization that is called Hummer and I like to join them to work with them officially but they said to me I had to first get permission from the Taliban Government and it was very difficult to get it. Then I visit Afghanistan Record Society to work with them for free and they said they needed a donation. We don't need workers because we are four months without salary. Then I tried to visit Ayman in the emergency hospital which was run by the Italians. So I didn't find any organization suiting me at Kabul so they guided me to go to al Wafa. I visited al Wafa in their office and I had difficulty meeting with them. They said they aren't meeting the individuals and we are working for the mass. They decided to get a meeting directly with the director at Kandahar, and he said we know that some people here told us that you are present and you are a foreign doctor and we would like to work with you but we don't know how to do that. It is better to go to Kandahar and speak with the head of the office. You can meet with the person here and inquire about this meeting because he is here and I doubt because I worked with al Wafa for three months and if I stay here this is my fifth year. The director of Kabul and the founder of al Wafa office, is a Kuwaiti guy, who was released from here and he was working for two years while there; so, I don't know how it works but I hope to be one of them who gets released from here or getting back to my country like the director of Kabul.

**Designated Military Officer (3.a.10):** Al Wafa al Igatha al Islamia has been designated as a terrorist organization on the United States Department of State Terrorist Exclusion List.

**Detainee:** This list announced mostly before the bombing. No one knows about al Wafa and about the relation between al Wafa and the United States before that. I tried to work with them after knowing their activities. For this reason I was a volunteer worker for two months. I refused to work with them with salary or any appointment until they proved they weren't a terrorist organization and this is number one. Number two is since they were listed as a bad organization I quit from it directly and I decided to go from al Wafa. So I worked for them officially for three months and since I learned from the media that the United States is against this organization I left this organization directly.

**Designated Military Officer (3.a.11):** The Detainee stated he traveled from Kandahar, Afghanistan to Karachi, Pakistan to assist al Wafa with medical purchases.

**Detainee:** It was after the travel to Kabul, it was in the early stage before trouble with al Wafa and the United States. They say this is a guy from Emirates called Abu Ahmed al Emaratti, this guy was the dealer for Suzuki car and he was a merchant, who tried to provide assistance or purchasing to al Wafa. They said that they wanted me to go to Karachi to purchase the medical equipment and medicine. I told them that I am an orthopedic surgeon not a medical rep and I cannot go for this purpose. They said the person that is in Karachi doesn't know anything about medicine so just supervise his work. I refused and I gave them a form of one of my colleagues that was in the business and that he can purchase for you. You can come visit us and see what he is purchasing

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because he has to deliver a truck after two days. I stayed for two days at Kanhahar and I saw his purchasing and it was really bad. He purchased very low quality and bad items and invalid items for everyone. They said they wanted me to supervise the work of our hospital at Kabul and it will need at least four months to work. So I decided to purchase the medicine for them directly or supervise the purchasing from Karachi for four months only because the quality and the money which they expend it was very huge, very expensive, and it's invalid. So it was temporary work for me to supervise the purchase because the person purchasing it has a legal experience.

Board Member: You're purchasing medicine and what else?

Detainee: Medical equipment.

Board Member: Like what?

Detainee: Hospital furniture, hospital machines. I gave a list of about 80-100 items that I purchased from Karachi to the U.S. Government. It included the baby incubators, EKG machines, x-rays, operation tables, operation lamps, operation surgical sets, general set to spinal sets, the IV lines, and antibiotics. It was all in bulk. I was at a hospital at Kabul which was a branch of children's hospital that was three floors with 138 beds. I purchased about 150 beds from Karachi through Kabul, Afghanistan. I was preparing the hospital to work and I was supervising the purchase of all of Afghanistan.

Board Member: Who financed all of this?

Detainee: al Wafa was working from a charity of money coming from Saudi Arabia and Emirates. They register it in Afghanistan and we tried to register it officially through Pakistan. I got the primary registration of al Wafa myself and I got the excluding from the income tax because it was to try to be in Pakistan officially. Abu Ahmed al Emaratti which was called Umran al Awais tried to register al Wafa in Emirates and he was taxed for that because he put in the account of al Wafa \$70,000 by the name of al Wafa and you are not able to put an account by the name of an organization if it is not registered. Unfortunately it was taken by your government and he wouldn't receive any of it. We also tried to register it in Saudi Arabia. Abdullah Alamatrafi, a detainee here and the head of al Wafa, traveled to Saudi Arabia to register al Wafa in Saudi Arabia officially and met the authorities there. So al Wafa was near to register in five countries not only Afghanistan. There is no problem or trouble by the name al Wafa in any of those countries. He was traveling without any hesitation, the problems came after you announced and it was before the bombing and he closed the account of al Wafa and I left al Wafa itself.

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Board Member: Can you clarify when you left al Wafa?

Detainee: I left al Wafa three to four days after it was announced, I don't know the date. They announced 26 organizations and we don't have any of them here in Guantanamo except al Wafa. You even have Rasheed terrorist, he is in Pakistan and still working for Afghanistan and they don't charge them and they don't ask them to be a problem for the United States. They announce several Pakistan organizations but they are still well with the United States, only al Wafa members here have problems because they don't have the support and don't have the countries behind them. They were totally independent.

Presiding Officer: Do you remember the five months you worked with them, the start and end month?

Detainee: I started from May 2001 to about October 2001. It was two-month volunteer work without salary, three months with salary. I told them I didn't want salary but they asked me to distribute the medicine for a week or 10 days at Kabul. They delayed my stay there for three months and I said that my money is finished so they gave me about \$1500 for three months which would account for \$500 per month salary.

Designated Military Officer (3.a.12): The Detainee stated he stayed at the Taliban guest house in Quetta, Pakistan, on his way to Karachi, Pakistan.

Detainee: I told you before this is the route of the taxi cabs. It goes like this from Quetta to Kandahar. They discovered two people tried kill UBL by going to the guest houses and going through this route and they found the gun with them, so it was a deal between the Taliban and the foreigners there. Anyone that wanted to clear himself must go through our office. They don't allow anyone to go without their supervision. I remembered a French journalist who tried to cross the way to Afghanistan with a satellite phone and they captured him and charged him as a criminal for spying. If you don't go to the Taliban house or you're not going through their proper ways they considered you bad so I was trying to go through the official way according to their mentality.

Designated Military Officer (3.a.13): The Detainee claimed al Wafa paid the cost of the airline ticket for his flight from Quetta, Pakistan to Karachi, Pakistan.

Detainee: Yeah, they gave me some money before I joined them and the cost was \$55 which was not that much for 700 km. I like to say that they said al Wafa was labeled bad from the first point. All of these activities with al Wafa were before it was announced it was a bad organization. I don't know about their activities but I visited their activities myself and I didn't see anything wrong. Abdullah Alamatrafi, the head of al Wafa, made a show with al Jazeera net about the activities of al Wafa after it was announced by the United States Government it was a bad organization. He told them about all the activities, warehouses, offices, and hospital which they supervised and the medicine. He

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left Pakistan without any hesitation. They caught him from the gate of the airplane because he had a satellite phone. They don't even know who was Abdullah Alamatrafi.

Designated Military Officer (3.a.14): The Detainee stated he worked for al Wafa for approximately nine months in 2001 and became al Wafa's medical advisor.

Detainee: It is five months only, two volunteer and three with salary.

Designated Military Officer (3.a.15): The Detainee stated he left Lahore, Pakistan, for Afghanistan in November 2001, and traveled through the tribal area of Gendab, Pakistan.

Detainee: I returned back after the bombing at Kabul through proper way to Pakistan and I came back to my area Lahore. I was getting some money and work at Karachi. We got about \$4500-6000 advance for token money for x-ray machines; I got \$11,000 for dialysis machines. I decided to go to Karachi to see this amount and the money and at least cancel this order because they already order from China three x-ray machines. I didn't know I was wanted by the government of Pakistan. I came to know the man who tried to assist the work of al Wafa Karachi because he was sent to the United States by special flight and they assumed he was from al Qaida. The member is still here, his name is Jamal Alawi Mari, and I am the one who gave the name and full address of him in Kabul. It was announced in the news that Jamal Alawi Mari was coming to the United States and that he is working for al Qaida and not al Wafa. Fortunately, he was on a secret flight to Jordan for only one person. He traveled from Karachi to Jordan.

Board Member: You're saying you were wanted in Pakistan for your association with al Wafa and this other person?

Detainee: They sent a person from Yemen to work as a director of al Wafa. He rented a house for his family and he was waiting for the registration of al Wafa to complete work officially in Pakistan, because I told them I cannot work as a director. I can only work in the hospital, purchasing medicine and medical equipment. They sent the man from Yemen through Emirates to Karachi and this man traveled here indirectly from Jordan to Pakistan then to Afghanistan then to Guantanamo.

Designated Military Officer (3.a.16): The detainee stated that, following his escape from Pakistan in 2001, he worked with the head of the al Wafa clinic in Jalalabad, Afghanistan. The head of the clinic had contact with the Taliban.

Detainee: It was not an escape. I was trying to get back to any secure place. I talked with my professor and he said they are taking everyone. They are not differentiating between anyone. What happened in the United States is making the government not secure about taking their detainees who are wanted from any country. It's better for you to go and help in Afghanistan then stay in Pakistan and they got you to America or to any country. There was no office for al Wafa in Jalalabad and there was no clinic at all for al

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Wafa. I traveled through Gandab area and taxi driver took permission from check point to go to the intelligent side. I went with the intelligence office and they inquired about my coming to Jalalabad. They found out I was a doctor and I came to help and they told me they had a vacant clinic and that I could stay there until I find a job in Jalalabad. I was with the clerk of the government for private doctors and he escaped during Taliban regime because he was ex-communist. They brought us here to the clinic in a residential area and I tried for more than ten days to find a place in Jalalabad to work. I succeeded to work with University Hospital which is a hospital for the Jalalabad Medical College. I worked with the head of the department who was an Afghani gentlemen graduate from Germany. He allowed me to work there even without registration in Afghanistan to bring two cases for orthopedic and plastic surgery. He gave me a warehouse room to put my items in. I called my professor in Pakistan and he was able to get a donation for the hospital for \$11,000 American dollars and he shipped the equipment to Jalalabad through the border area. I was in Jalalabad at clinic as a resident and it wasn't the al Wafa office and was not related to Taliban. Most of the doctors weren't willing to work with the Taliban because they don't have the limit or education enough to understand the medical issues and country. Most of the doctors were from the ex-communist regime even though they help because they knew I was coming to help the country. I selected Jalalabad because it was bombed badly and 160 people were killed, and it's the nearest city from the border of Pakistan. It was also the last city to collapse from Taliban and was the most secure place. My truck with medical equipment was located at a foreign organization which the British left and was covered by the government and this is where they were putting my equipment.

Presiding Officer: You mentioned you left Pakistan seeking a more secure place. With the bombing around Jalalabad, did you consider moving to a more secure place out of the region vice Afghanistan?

Detainee: It was the nearest city from Pakistan and the roads were blocked everywhere including the road back to Pakistan. I saw all the anti-aircraft and the surface-to-surface missiles were all going to the mountains and a car that didn't know where to go and he left everything for the villagers and they even took his shoes. It is a custom in Afghanistan that if you escape from any war they take your shoes so while in Jalalabad he was without shoes and what can you do as foreigner without shoes.

Designated Military Officer (3.a.17): The detainee stated he left the al Wafa clinic in Jalalabad, Afghanistan during the bombing of the city and escaped to the Tora Bora Mountains in Afghanistan. The detainee traveled between small groups of fleeing individuals providing medical attention to those in need.

Detainee: I returned back to the hospital that I worked with and they locked the main gate because I was told that if they consider me an Arab they may kill me because the North Alliance was seeking Arabs after the killing of Masoud. I left and went to the Ministry of Health Hospital and was filled with rebels and guarded by guerrillas and

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gunman. They were also taking the houses and luggage of foreigners by force. I was using a van as an ambulance and they wanted me to leave it but my driver tricked them and said we had a grenade. The other doctors advised me to go to the mountains and stay there for a day or two, then after the mountains is the border for Pakistan and you can go there. The city fell within a half hour at three in the afternoon when it came by the forces. By 3:30, 150 people were with North Alliance Afghani's and they closed the border to Pakistan. They said if you go through the official borders you will be caught and it's better to go through the back doors. There is no al Wafa clinic in Jalalabad. I escaped to the mountains but I don't know to where. We went through about five villages before Tora Bora. They said if we went by car they would bomb us since we had about 5-7 cars. We were residents of Jalalabad and no one was a fighter or carried a gun. They tried to take the cars by force but we gave them the cars and walked through the mountains by foot.

Designated Military Officer (3.a.18): The detainee stated he told Usama bin Laden at a meeting at Tora Bora, Afghanistan during Ramadan in 2001 that the detainee needed assistance to find a safe route to depart from Afghanistan and to secure medical equipment that was in the hands of the Taliban in Jalalabad, Afghanistan.

Detainee: I didn't know who was in the mountain. I was in the mountain for four days without any information about who was in the mountain and why we were here. We found out a lot of groups were coming day by day. I asked to speak to the head of the mountain or in the area just to know if we are in the surrounded area and there are fighters around us and there's not enough food except the medicine. There wasn't any normal food or normal three meals for everyone, so I requested to talk to head of the area and in charge. I gave a letter after the fourth day and an answer came after about 11 days. The total number of days to get the answer was 15 days and they said I was allowed to meet the head of the mountain. I didn't know who was UBL. I walked about four hours from my area to the area of UBL and I found him in an empty place. He came from behind the trees and I assumed there was a cave near that secured his place. When I found out it was UBL, it wasn't the first meeting with him. It was the second, because he met us once in a graveyard in Kabul when we buried a dead body killed by the Northern Alliance. He came suddenly within five minutes with his guard and asked how he was killed and said he had come from the North of Afghanistan and we don't know. He asked who supervised his treatment and they said Doctor Ayman was in the hospital and he dealt with his case. I said they secured his life well and they brought him into the ICU and he was under the ventilation but unfortunately it was a hit by a tank in his forehead and he expired. So I got a chance to talk to UBL at Kabul for five minutes so he knew the person he was to meet, but I didn't know who I was going to meet. UBL arranged the meetings for everyone he would like to talk with but no one like to talk to him. He would not stay in his place more than 45 minutes by any way, if you got a meeting by UBL he will leave before 45 minutes because this is the period by any jet or flight that can recognize his place and can hit him. So if you meet with him suddenly or by asking him to meet you he will stay for 10-15 minutes maximum. My talk with him in the mountains

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was secure and lasted 10 minutes. I asked him to leave the mountain and he said I don't even have a place for myself to go, so he said I wasn't able to go from the mountain myself. He told me if I wanted to go to Jalalabad to ask about my items or medical equipment you can send any of the villagers from the mountains and it's not secure to go there. I gave a list of the medical equipment to one of the villagers because there were some casualties in the mountain from the bombing and they were without medicine. All I had was my bag with special dressing kit but I didn't have any equipment in the mountains. When the villager got to Jalalabad they asked him why and for whom he wanted surgical equipment and wasn't able to bring any medicine from Jalalabad. I was out of medicine and I had a lot of casualties. I did a hand amputation by a knife and I did a finger amputation with scissors, and if someone was injured badly I was just operating on the table. I couldn't save them because I wasn't able to work and they can just shoot me in the head. I had about 200 people around me that carry guns and if I don't obey the order then I would be killed. I tried treating them and but two of them expire because he was crushed and the other was a Yemeni who is a detainee here and his name is Ahmad Humadi and he got two fingers amputated by me. I was stopped at the wrong place at the wrong time but I must work or if I don't they won't secure me or my travel from Tora Bora to Pakistan.

Presiding Officer: So was the main purpose of your meeting again to try to seek assistance to leave the region or to...?

Detainee: Yes, to leave the region. I said we are in a bad place and if they bomb the mountains no will stay alive. In 2-3 days we had four dead bodies in one cave that was blown and we weren't able to take them out of the cave. The helicopter killed two people last night so everyday we had casualties and mortars and there isn't even any simple anti-aircraft we have. We have 15-16 Kalashnikov, most of all the total guns in the Tora Bora area was 16 Kalashnikov and there are 200 people. He did not prepare himself for Tora Bora and to be frank he didn't care about anyone but himself. He came for a day to visit the area and we talked to him and we wanted to leave this area. He said he didn't know where to go himself and the second day he escaped and was gone. He left 200 people just for his security. There were 14 villages between Tora Bora and the border of Pakistan and some are not reliable to him. We stayed 10 days to make a place for him so that he could cross the border safely. He went to the Sudar area and I told the Americans about UBL's secure place in Pakistan, which is called Sudar Training Camp. I gave them his locality and his place but they were not able to catch him.

Presiding Officer: So why did you believe he would agree to meet with you given that it took 15 days of planning and the only reason was to seek assistance?

Detainee: He was not in the mountains. He succeeded on bringing the forces to the mountains and to escape by the second day and I don't know how because we sent some people to the city and they took their vehicle and they sent them back to the mountains. They killed some people at Jalalabad and snatched their cars. I don't know how he

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traveled to Tora Bora with all the security forces and the bombing. There was bombing all the time and he wasn't even afraid to come during that time. He was not alone and I came to know Ayman al Zawahiri was with him but he was in different locations. Both his wife and daughter were killed from bombing at Kabul. I came to know even from the people of the mountain that Abu Ghaith is the speaker of al Qaida. They only take the routes through the mountains to Pakistan before us and escape but they don't allow anyone to go with them. I don't know if it wasn't ready for huge amounts of travel.

Presiding Officer: Since the main reason the meeting was to seek assistance to leave the mountain, why did you believe he would meet with you for that purpose?

Detainee: I didn't know he was UBL, I was asking for the head of the mountains because there was no one in charge. You weren't even allowed to make a fire because they would send the missiles from the jets. We had olive oil, olives, sesame, and dry bread to eat and with no food I told them it's not healthy to stay in this area. So I insisted to meet the person in charge and I didn't know it was UBL.

Presiding Officer: But you recognized him when you saw him from your first meeting?

Detainee: Yes.

Board Member: Did you carry a weapon?

Detainee: No, I had a guard with me. I was 51 kg which is 100 lbs in 1988 and I could carry a gun, run, or do whatever, but by this time I was not willing to do any exercise or carry any guns. I had my assistant who carried the gun for me and was a guide for the mountain and was a British Syrian called Abu Yehyah Al Suri and he was murdered and I was injured by the helicopters when we were traveling from Tora Bora to Jalalabad. He was a British citizen with a small child who came for training for four months and he never returned. I never carried the gun at Tora Bora.

Designated Military Officer (3.a.19): The detainee stated those in charge of every area of operation were assigned a personal radio that was the method of communication utilized by the al Qaida network within Afghanistan.

Detainee: I don't know why you have the impression that the people in the mountains were al Qaida, most of them were residents of Jalalabad. They were Moroccans, a few Algerians, Libyans, and very few people escaped from Kabul to Jalalabad. Most of them were residents of Jalalabad and they were not related to UBL and not for al Qaida. During the Soviet regime they were fighters against the Soviets and some of them were in Afghanistan for 15-16 years. So they are not linked to al Qaida in anyway. There was no system for telecommunication between the cities or inside the city itself. Jalalabad had only two phone centers to Peshawar, so most of the people carry the radio as a source of telecommunication. For example, al Wafa has about five cars and every car has a radio

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or walkie-talkie central. Also for every translator they have a walkie-talkie. So even myself I carried the walkie-talkie with the interpreter at Kabul because it was only \$90 and was for the civilian. It was not high tech and you could only take it 70 km maximum. I advised all my walkie-talkies with all my interrogators and I got a catalog and found walkie-talkies that are used by the civilians and the military. Most of the walkie-talkies were with the people not the ones operating with al Qaida.

Board Member: You mentioned that the people in the mountains at Tora Bora were the Jalalabad residents?

Detainee: Yeah.

Board Member: Couldn't we better characterize those people as Mujahedin?

Detainee: No

Board Member: No? They weren't fighters? They had rifles right?

Detainee: They are from Europe and they don't succeed to live in Islamic society or atmosphere so they decided to come to Afghanistan because they can practice more Islam or better Islam. Most of them were foreigners and owned their houses in Jalalabad not rented. They bought very houses for \$1000 or \$2000 and rebuilt them.

Board Member: They had all of these weapons?

Detainee: They had 16 weapons and they came from the people that came from Kabul and there were about 20 people and they carried 16 Kalashnikov's, AK-47's. No resident from Jalalabad got their weapons because they were banned by the Taliban government. No one can carry their guns during the Taliban regime, either in Kabul or Jalalabad or maybe even Kandahar. We got special permission to get a security guard from the al Wafa office and he only had one AK-47 for the gate. We got three for the warehouse because we had two trucks of rice and one truck of gee. It was not easy to have a gun in Afghanistan.

Designated Military Officer (3.a.20): The detainee carried a gun while he was in the Tora Bora Mountains in Afghanistan and was not searched upon entry to the cave for a meeting with Usama bin Laden.

Detainee: I was not carrying any gun. It was the Syrian guy that was with me. I didn't meet UBL in any cave but I did say that there was a cave near where we met for security. He came from behind the trees and he was making a motion for prayer. He didn't know who was coming to meet him. The security guards told him that they had searched me and they don't allow anyone to meet with him with a gun. It's not wise to be in the mountains carrying a gun and meet UBL because you can shoot him directly.

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Designated Military Officer (3.b.1): The detainee stated he trained for one and one half months during the summer of 1988 with the Mujahedin in Afghanistan at the Khogay Training Camp where he received training on the Kalashnikov and small anti-aircraft weaponry such as the heavy Grinov.

Detainee: It was 1988 when I was seventeen and I received it for a month for the Kalashnikov. We fired two to three bullets and said that was sufficient because we were like scouts. There weren't any anti-aircraft to train on at the camp but it was present and I didn't get any training on it. I don't think from 1987 to now which is 19 years that it is valid to say I carried the Kalashnikov officially in Yemen. My father got permission to have two Kalashnikov and one pistol because he is second man to the tribe. We have this in our country officially. I was going to Afghanistan to see the area and they said I was in a dangerous area you try to save yourself. It was not a basic training. It was on knowing how to fire only.

Designated Military Officer (3.b.2): The detainee stated he trained with the AK-47 assault rifle and participated in at least two night time raids against Soviet outposts while he was in Afghanistan.

Detainee: It was only one night raid but it was in two different sessions. It was the end of the Soviet time and most of the Soviets and the captains left the area. There were some communist Afghani's. I saw how the aid was coming from the countries like Saudi Arabia. I saw the stinger myself in the camp and how they would go for the next raid and snatch it. Everyone around the world was with the Afghani's during the Soviet time. I don't think it was bad to go instead of going to enjoy or dance at any place. It was good to have some experience about the struggle when I was young then to go through any bad occasion.

Designated Military Officer (3.c.1): The detainee stated that during his graduate studies, he studied under a doctor who was a member of the Pakistan Islamic Medical Association. The detainee stated he attended one Pakistani Islamic Medical Association meeting with the doctor in 1998 or 1999.

Detainee: It was his work and he was my professor and he has any right to be in any associations. Even in Pakistan it's called Islamic Republic of Pakistan because everything is called Islamic. It was not an Islamic view but it was a supported of anyone he liked to help (Muslims around the world). It was a free organization and he's the boss. I attended with him because he said we have a clinical session and it was not a political. The whole group which was about 32 doctors went. They asked me about my professor because they announced his name on the BBC that he was a supporter of Taliban. My professor traveled to Afghanistan officially to correct the syllabus of studies of Kabul Medical College. They were studying in Persian mostly so he wanted to replace the Persian books with the recommended or standard international books. He said he would

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pay for it out of his pocket for all the books or their needs because he tried to make it at the international level. After this he attended a meeting in the United States for the Taliban Government and then left to England. He also went to meetings in Australia, so he was traveling officially. He even attended meetings or conference even here in Cuba. He went to Havana officially from Pakistan government because he is a grade 21 which means he's about to be a minister. He's in charge of the orthopedic post-graduate for all over Panjab. He was allowed to travel all over freely and if he stayed in the UK for six months he could have British nationality. Since he stayed in England for nine years and married there and his children are British. I don't know how the BBC said he was with al Qaida or Taliban. I know the media is playing by the people because they said there are 40,000 victims of 9-11 when there are 2,500. They are trying to use propaganda and do this war for everyone and not only for the noble people.

Designated Military Officer (3.c.2): The doctor was reported to have treated al Qaida members who required medical care and also would readily treat fugitive al Qaida operatives.

Detainee: My doctor after 12:00 took a rest for one hour and then from 1:00 to 9:00 at night he's doing his private job. If you go to clinic you cannot find an appointment sometimes for a month or 15 days. He was trying to change the system of the country like Afghanistan and he was not after the minor things. Al Qaida in Kandahar were treated sometimes by the medical assistants because there weren't even doctors. UBL didn't believe by the medicine he believes by the traditional medicine, like homeopathic. So he wasn't a person that treated al Qaida and he never went for any activities and he's well known. He was the doctor of Shabaz Shareef the brother of the ex-prime minister of Shaba Shereef of Pakistan and before that he was the doctor for the Pakistan international cricket team. He was the best student from his college and he did his internship in UK. He is westernized and he doesn't believe by Jihad or exchange by force. He's not with al Qaida or Taliban and he tried to change the Taliban regime and even tried to change their syllabus or their study. I don't think he was like this and I just think it was propaganda by the BBC and media.

Designated Military Officer (3.c.3): The detainee stated he met the Taliban Minister of Health during his trip to Afghanistan in June 2001 to seek permission for employment and to facilitate the distribution of medicines and supplies.

Detainee: I spoke with them about working for free because I don't have any funds before I joined al Wafa. They said I had to get a legal certificate and there are exams. I said you are in need of donations or doctors assistance and you are being this hard and they said it is the matter of Minister of Health, so I didn't discuss it that much. I noted with my friends about five trucks of medicine to al Wafa and all is carried to Taliban warehouse which was for the Ministry of Health. They distributed about half of this without permission. This was a defect and big problem of their system to use the aid without permission. I went to the warehouse myself and I inspected every item and I

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came to see a lot of them. All the expensive materials that was there was out to the market, so I made a complaint to the Minister of Health. Unfortunately, the Minister of Health was class four primary school and he didn't know anything and wasn't a doctor. He only knew how to sign and he sent a report about the medicine in how it was about to expire and it's used for cattle and animals. I purchased most of the things in bulk and I found very old and expired medicines from Switzerland, France, and Finland that had been expired for 5-7 years. They collected it in buggies and they said it was from al Wafa. They placed the valid medicine by the invalid medicine. They even took the beams, the protection shield from the x-ray machine to the market. It was part of my work to meet with the Minister and deal with him and I succeeded by having 50% of my items back to distribute myself according to the necessity of the hospital and 50% of the medicine.

Designated Military Officer (3.c.4): The detainee stated he met a Malaysian microbiologist at the Hajji Habbash Guest House in Kandahar, Afghanistan in August 2001.

Detainee: Yes, he was on his vacation and he was not a microbiologist fully he was a second-year student. I met him at Hajji Habash Guest House and he planned to help. He got a donation of 5000 American dollars to build a hematology lab for the government hospital. He took my advice because I was here in the clinic for him and I purchased it from Pakistan.

Board Member: Even though he was only a second-year student he knew how to build a clinic?

Detainee: He didn't know. He just took my advice and said he worked in his lab at the school about hematology because I'm still a second-year student. I want your advice because I want to build some labs as a donation. I have the money. He trusted me because he didn't know how to purchase so he consulted with me on purchasing.

Presiding Officer: Do you know where, as a second-year student, he got the money from? It sounds like he would have to have a significant amount.

Detainee: He's a rich man. He studied in self finance and his school was in an America. Even as a wealthy guy he didn't hesitate to be at the guest house because there was no place in Kandahar except the guest house to be.

Designated Military Officer (3.c.5): The same microbiologist was involved in developing anthrax for al Qaida.

Detainee: I don't know where you got this information. He didn't discuss anthrax with me and I don't feel he is capable of doing anthrax by the second year of knowledge or information. I did not talk in my interrogations about anthrax by any way and I don't ask

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about where you get this information because it's unclassified and you can discuss it with me if you have any information about it. I recently came to know through here that the one who sent the anthrax to the United States or the one who knows the man that they sent was the Pakistani shab. His name is Tahar Butt Kashmeri and I mentioned it to my interrogators and I discuss it with my AMO last time. I came to know who was behind the anthrax and so it wasn't the Malaysian guy. It was not only the anthrax issue we came to know about the material that was used to blow up the USS COLE. I gave a lot of my information to my interrogators regarding a very sensitive point. I never discussed with this Malaysian guy about any germs or about any technique.

Board Member: Where did you get all the information about the COLE and the embassy bombings?

Detainee: It was from some patient that I treated or I know how they came to Pakistan and I discussed it with them. It was not a secret to me. They said the material was on the Shab and he expired at the Kandahar bombing and he was a guard for Abu Hafs Al Masiri Muhammed Atta. He was getting a lot of information and he discussed it with me and I don't have any problem discussing it with the authorities here just to discover who was behind it or the materials.

Designated Military Officer (3.c.6): The detainee stated he met with a friend, a Yemeni merchant, in Islamabad, Pakistan, who facilitated the detainee's travel into Afghanistan when the detainee fled Pakistan.

Detainee: I said I had been to Afghanistan when I was seventeen and I know the rules. I stayed in Pakistan for twelve and half years, I know the language, the rules, the accent from area to area, and I know how to go myself, so there was no need for a Yemeni merchant to come from Yemen to guide me where to go and how to live. The only Yemeni guy which I knew in Pakistan and he was Omar al Hadrami and he's not a Yemeni merchant, he's a medical attendant. He's bringing the patient to Doctor Aziz's hospital. I only mentioned his name during the interrogation and I found it replaced with unknown Yemeni merchant. There was no Yemeni merchant and it's very difficult to have a merchant in Pakistan because the rules become very tight even the registration from regular people in Pakistan goes through 5-6 officials to stay. For merchants they don't have a chance to stay and the markets in Yemen are fully loaded with Indian goods which are much cheaper than Pakistan and we can find the business between Yemen and India very common. It's very rare to have the business between Yemen and Pakistan to have a merchant there. I've never been to Islamabad because it is a diplomatic city except during my admission or if I want to attest some recommendation from my embassy. I don't have any friends in Islamabad.

Designated Military Officer (3.c.7): The detainee's friend was a member of al Qaida and in overall control over the movement of al Qaida fighters and their families from Afghanistan through Pakistan.

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Detainee: I was there early so no movement was present during my time. I don't have any friends of al Qaida or known by al Qaida. If I did, I would give the names just for the reward maybe they will give me some money. Pakistan, it is very difficult to have foreigners in it. Pakistanis are everywhere in the world and they try to be part of these societies but it is very difficult to have foreigners in Pakistan. Authorities label as a foreigner even if you are a Pakistani resident So, I don't think there are foreigners with Usama bin Laden in Pakistan. Usama bin Laden can hide foreigners that work for him. Foreigners who do not know the atmosphere or society, it is very difficult to have them as a member of al Qaida in Pakistan. I deny these allegations against me. It is the same information used against me last year. I ask for my AMO to be patient with me because I try to explain most of the things. I don't want to be back to the same point again next year. Then be told one year more because I do not want to be here a second year without a reason. I am willing to help America in any place whether it be Yemen, Pakistan or any other country. I discuss this with my interrogators and they agreed to have me as a helper for the United States. I feel if I am away from GTMO, I can give so much more benefits for you than being here in detainee camp.

Designated Military Officer (3.c.8): The detainee stated he saw Usama bin Laden four or five times at various guest houses and in person in Afghanistan.

Detainee: I saw him twice. Usama bin Laden is not common to the guest houses because it is exposed to everyone. By chance, I saw him in the graveyard at Kabul. I meet him again in Tora Bora when I stopped in the mountains. It was not to four to five. It was only two times. It was handled by Usama bin Laden people or Usama bin Laden himself. I did not ask to meet him or was not planning to meet him.

Designated Military Officer (3.c.9): The detainee stated he talked to Usama bin Laden on two separate occasions in Afghanistan.

Detainee: I think we just talked about that.

Designated Military Officer (3.c.10): The detainee stated that at a meeting in the Tora Bora Mountains in Afghanistan, Usama bin Laden requested the detainee help supply medicine to the Tora Bora region.

Detainee: It was no food in the area and I was alone. So it was logical for Usama bin Laden to support. I tried to get trade from the mountain with the help of Usama bin Laden people. I was not successful in doing it and I was injured twice in the same day. So, it was a misunderstanding from a person. I ask the help of Usama bin Laden people not Usama bin Laden ask me to provide medical to Tora Bora. It is from the first days they brought some Americans here to Tora Bora. They thought it was a clinic or hospital. It was four caves. Three to four people were working to every cave. It was not fixed for any medical consultations. Even when I do medical operations, it was under the

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bombing. I left the patient three to four times because the B-52 was over us. It was very dangerous. There was not a hospital or clinic in this area. There is some information to help the United States. Saudi Arabia Red Crescent society sent a message to Tora Bora area asking if they need assistance. The Crescent society would facilitate someone to bring medical items. It was a message from the Saudi Red Crescent society at Peshawar. I did not have any facility or supplies. The supplies were coming from aboard.

Designated Military Officer (3.d.1): The detainee stated he purchased 0.5 kilograms of cyanide that he claimed was stolen from a warehouse in Kabul, Afghanistan and was never recovered.

Detainee: It was for scientific. It was pharmaceutical cyanide used for dental filling. We got a dental list and cyanide was part of it. This was used for the nerve root. It killed the bacteria by very old method which is cyanide. It does not harm the person or poisonous. I sent this with my trucks to Kabul from Kandahar and Kandahar to Kabul. It was not present at the warehouse when I inspected. It was not present with the Johnson and Johnson hand piece drill machine used for dental filling. It was not harming. I gave the address of my medical to AMO. It was new Karachi chemical Karachi White House. It was present on the market. It is commercial allowed to have by anyone working in the field. It was not the serial cyanide which can cause harm.

Designated Military Officer (3.d.2): The detainee stated he told another al Wafa volunteer to purchase four to five thousand United States Dollars worth of medical equipment presumably for the Malaysian microbiologist.

Detainee: Transport was the problem from Afghanistan to Pakistan. I had 200 dollars American money in my pocket. I was attacked by the police rebels. They took my money from me. I ask the Malaysian guy if he had the five thousand American dollars to purchase this equipment for the lab. It is very dangerous to cross the border after buying it. At the border, they can take your supplies or snatch the supplies from you. We now have a worker for al Wafa. He can purchase the equipment in the amount of five thousands dollars. When you return back to Afghanistan and build your lab you can repay him the money. It was a matter of transporting the money. The al Wafa worker went to Karachi to purchase it. I called al Wafa people and asked for him not to purchase it because the border was closed. I asked for him to stay ten to fifteen days to see if border would open or to see if they allow anything to pass border into Pakistan. If the procedure becomes too complex to cross border, he would have to go to Malaysia to purchase. I found out he went to Malaysia to purchase and I stopped him.

Board Member: What kind of equipment was he going to purchase? What was it for?

Detainee: It was for medical lab. It was for blood analyzing like sodium/potassium and sodium/chloride. One of the machines was a photometer which is about 3,500 American dollars. The amount of four to five thousand American dollars, it was sufficient for three

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to four pieces of equipment with maximum of five. It was going to be very small lab according to its capacity. I was astonished when I sent him. The man I sent was a volunteer. He was a microbiologist. He said the Shab did not know the basic lab technique. So, he was sent to Karachi University Lab to get the training for ten to fifteen days to know how to do blood test. I told you he was just in second year. He was fresh and did not know how to do lab technique.

Designated Military Officer (3.d.3): The detainee stated he stayed in the Tora Bora Mountains in Afghanistan until he was severely wounded. A group of Afghans took him to the Central Jail in Jalalabad, Afghanistan. The next day he was taken to the hospital where he was treated for over four weeks then returned to jail. The detainee stated he asked to be turned over to United States Forces so he would receive better treatment. The detainee was taken to Bagram, Afghanistan on 27 January 2002.

Detainee: No comment about it. We were treated very badly in jail there. I felt I would be treated better in any other place besides that jail in Afghanistan. It was jail since the time of 1935. It was old, dirty, nasty, no food. I had very big hole in my lung through my chest. It was almost infected. I met the Americans there which were interrogators. I requested to be taken to better area. I was not cured yet. I had broken ribs, lacerated lung, and splenic tear. I was in serious condition but they still sent me to jail. There was no accurate management in the jail. I had chest tabulation with a jar. The authorities said the jar weighed about four to five kgs full of blood which was too much. They said I was planning to escape. So, I said it was better to go with the Americans to a secure place instead of being charged and going through these problems. They chained me to the bed badly and they would inquire about my condition. I said it is better to be with the Americans to finalize all this drama.

Board Member: Why did they take you to the jail not the hospital?

Detainee: They came to us some through the Tora Bora village. We need to purchase diesel to take you to the hospital.

Board Member: I don't understand say that again.

Detainee: On the mountain of Tora Bora, the authorities came to us and said, we need the price of diesel. We have no diesel to send you to the hospital. They tried to get money and tried to take everything by any means possible. This is why they did not treat us. Afghans they said, you are here to die not to be treated. For this reason I was pleased to be with Americans instead of with the fighters because there was fighting all the time around us. We said to them twice that we are not fighters and want to be sent to our consulate or have someone from our embassies to surrender ourselves to them.

Designated Military Officer (3.d.4): The detainee stated he traveled to Herat, Afghanistan, likely after 11 September 2001, to pick up three trucks to be used by al

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Wafa as ambulances. Al Wafa paid approximately 15,000 United States Dollars for the three trucks.

Detainee: They were normal vans. I converted them to ambulances. I donated them to the teaching department at University of Kabul hospital. This is a 400-bed hospital. The hospital had only one ambulance used for the administration. It was used to pick up and take the workers of the hospital. So, I decided to purchase three ambulances. There were some donations coming from Saudi Arabia. Saudi Arabia sent dental chair, five baby incubators, blood machine, CAT scan machine, cardiac monitors, and other equipment. Saudi Arabia had asked me to go and inspect these items to see if it was valid to keep it at Herat or send it to the center of the city of Kabul. I found there was no technician to work CAT scan machine. I ask them to transfer the CAT scan from Herat to Kabul. I supervise the purchasing of the all vehicles. The total donation was five ambulances, two machines from Kabul, and three purchases from Herat. I went to Kabul by vehicle with my son driving to check the vans.

Designated Military Officer (4a): The detainee denied having any knowledge of biological agents or ever having discussed biological agents with anyone.

Detainee: I started to discuss this with my interrogators in detail. The interrogators said, they are going to take my name from the list of anthrax. The United States have had my name on the list for the last two to three years but now you have the factors to omit it. It was anthrax due to the microbiologist and I don't think every microbiologist can produce harm to United States. So, I'm glad to have my name out and I would like not to discuss this scary issue no more either with them or anyone else.

Designated Military Officer (4b): The detainee stated he did not attend any training camps in Afghanistan as he was a doctor not a fighter.

Detainee: Yes. I did not receive any training. It is not very common to have training with the Yemenis. Yemenis have a fifteen to twenty-day training camp because guns are present freely. There are fifty million Kalashnikov pieces for a twenty-one million population. So, we do not request a lot of training.

***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 stated that he had no additional comments.***

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Detainee: I stated that I would like to be with your people after being released from here. I like to discuss this chance widely. I don't want to disclose it because it has a lot of formalities behind it. I feel I would be very useful because basically I'm against any terrorist organization or activity and I swear to serve the community and I don't classify anyone according to race, shape or language. I give the oath to help eliminate the enemies. This is my duty. I want to consider my work at Tora Bora as my duty. I'm doing this to cause me a lot of trouble. I want to explain it was a hard time but it was wrong time, wrong place. For two to three months in Afghanistan, I feel five years in detainee camp is sufficient. I want to start my life because I'm about 36. I'm of that age where I should be with my family. So, I'm requesting this because I feel it is the same point and discussion from the last year which is encourage me to talk to the board just to change from four times before and it is still the same. I request from the board this time to have your notes to ask me anything you like before finishing this session. I would not like to have this session again after a year. So, if you have any questions for me now or any explanations, I like to clear it before session this is over.

Presiding Officer: If you were released, where would you see yourself residing?

Detainee: I had some resident study in Pakistan. My topic was about the pressure of discus radius managing this internal instead of external. I work with this for three years. I work with the Orthopedic doctor there. This was a new technique to fix pressure it raised by 97 m. I need at least six months of work to finalize. Afterward, I will be helpful to Pakistan because I came to know the keys of Pakistan because is not only Karachi it is Lahore. I came to know there are 200 supporters of Usama bin Laden. They are with him now at the moment. The amount rose to three hundred within six months. This means supporters can still get to Usama bin Laden. If I'm in my practice in any place in Pakistan, I can help determine the movement of Usama bin Laden and his supporters. This is the reason I would like to be in Afghanistan for awhile to help. I can return back to my home country Yemen or any country the board selects. I feel that the ethics of the harm to United States was from outside United States. I can help decrease the harm if I'm in Pakistan or any country.

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

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

*Administrative Review Board Member's questions:*

Board Member: If you were transferred or released, is there any reason you would feel your safety would be in jeopardy?

Detainee: If I'm working or helping United States, it will be a risk. I will take the risk because I was normally in Pakistan and I was officially there. I will take this risk just to

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prove to everyone that I'm not against the United States. I feel secure through the United States process and your people. This is a problem in Yemen there is no security and no law. Yemen has people escaping from jail. The security is not fixed yet. There are people being killed during the clashes between the authorities and people. This is the reason I'd like to be transferred to a peaceful country which is Saudi Arabia. I have family located there. It is the most reasonable place for me after Pakistan.

*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.



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**Summary of Administrative Review Board Proceedings for ISN 654**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

Presiding Officer: Good afternoon, sir.

Detainee (*through translator*): Good afternoon.

Presiding Officer: Do you pronounce your name Abdul Hamid Abdalsalam Alghazawy?

Detainee (*through translator*): Not Abdul Hamid. My name is wrong.

Presiding Officer: How do you pronounce your name?

Detainee (*through translator*): As I told the translator before, my name is Abdul Hammed, not Abdullah Hamid.

Presiding Officer: How can I address you today, Abdul?

Detainee (*through translator*): Abdul Hammed.

Presiding Officer: Abdul Hammed. Okay. Welcome to the Review Board.

*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 and offered the Muslim oath.*

*The Detainee took 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.*

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***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 21 September 2006. After reviewing the ARB's purpose and procedures, the Arabic 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 wanted to attend the ARB but expressed concern about when the ARB was going to be held because he was not feeling well. The Detainee was quiet but polite during the interview. A copy of the English and Arabic translated Unclassified Summary of Evidence were provided to the Detainee upon his request. The Detainee's follow-up interview was conducted on 25 September 2006. When asked if he still wanted to attend his ARB, the Detainee stated that he would attend the ARB. The Detainee was more responsive during the follow-up interview and said that he would respond verbally to statements in the Unclassified Summary. The Detainee was cooperative and polite during the follow-up interview. The Detainee made the following oral statement in response to the spelling of his name in the Unclassified Summary of Evidence: The Detainee stated that the correct spelling and pronunciation of his name was Abdul Hammed not "Abdullah Hamid". The Detainee stated that there was another individual he had met in Afghanistan and that was here as a Detainee with the name "Abdullah Hamid" and that individual was released.

Detainee (*through translator*): Abdullah Hamid, the one that left, and my name are different. My name is written wrong on the Unclassified Summary. There's a difference between Abdul Hammed and Abdullah Hamid.

Presiding Officer: Noted.

***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 Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of information from the Unclassified Summary of Evidence as it was presented.***

Detainee (*through translator*): By the name of God, as I have said in the past, there are some things in there that do not have any value and do not have anything to do with the government of the United States. I talked about it more than one time. I will go through it in general but, if you have anything you want to ask about, I will answer.

Presiding Officer: Okay. Thank you.

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Detainee (*through translator*): I can give you details.

Presiding Officer: The Designated Military Officer will read each factor from the Unclassified Summary. We will then provide you a chance to respond. Board members may ask you questions based on your response.

Designated Military Officer: (3.a.1) The Detainee stated he was imprisoned in Afghanistan because he entered Afghanistan with a fraudulent Iraqi passport.

Detainee (*through translator*): By the name of God, in the past, as a matter of fact and as I have said before, it does not have anything to do with you. If there is any accusation against me, if I have committed any crime against the United States or its allies, they will interrogate me for that, not to ask me if I entered any country with a fraudulent passport in an illegal way. I don't think this is something that has to be on this Summary. But in any case, I entered Afghanistan without a passport. The whole border is open to everyone.

Presiding Officer: Were you imprisoned for this?

Detainee (*through translator*): Yes, I was imprisoned for one year and four months because I entered the country not in the right way.

Presiding Officer: Okay. Thank you. We would like to read the next allegation.

Designated Military Officer: (3.a.2) The Detainee traveled extensively between 1987 and 2001 to cities in Saudi Arabia, Malta, Pakistan, Afghanistan, Bangladesh, India, Tunisia, Algeria, Morocco, Malaysia, Dubai, Sudan, Yemen, Egypt, Jordan, and the United Kingdom. The Detainee requested asylum in the United Kingdom and Malta and attempted to immigrate to Malaysia, Thailand, Singapore, and Norway.

Detainee (*through translator*): This is the same thing as I had said about number 1. Suppose I went to all these countries. Is these something forbidding me to do it? I have the right to go anywhere. There is no law to tell me "no".

Presiding Officer: Who paid for all your travel and lodging?

Detainee (*through translator*): My own money.

Presiding Officer: And the purpose for your travels?

Detainee (*through translator*): There are a lot of reasons, not one reason. I went for religious purposes to visit Saudi Arabia. Some of them, I just went through going to another country. One of them, I asked for political asylum. Some of them, to immigrate. That's it.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.a.3) The Detainee was listed by the Libyan authorities as belonging to the Libyan Islamic Fighting Group.

Detainee (*through translator*): Same thing. I want to ask, from when did you start trusting the Libyan government? You know the history of Libya, and you know their situation, and what they did to you. I am very surprised how you believed this. I answered this that I am not a member of the Libyan Fighters. Suppose that I am a member with them. What is the relation between that and you if I am a member of that group? But on the contrary, you should be happy, not mad at me, for being with this group because it is for your interest. I don't know what to say but, in the past, you tried to topple Qaddafi's regime. Why are you denying the purpose or the situation of those Libyan Muslim terrorists against Qaddafi?

Designated Military Officer: (3.a.4) The Libyan Islamic Fighting Group is a foreign terrorist organization.

Detainee (*through translator*): I don't have any relation with them and I don't care. The British government was behind this group to support them. In this case, you have to put the British government as terrorists, too. Officially, the Libyan government accused the British government of that. This is a contradiction.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.5) An al Qaida operative stated the Detainee was a member of the Libyan Islamic Fighting Group.

Detainee (*through translator*): This is not right.

Presiding Officer: Is that all you have to say?

Detainee (*through translator*): That's it because I am not a member.

Presiding Officer: Okay. Thank you.

Detainee (*through translator*): I said everything before that I am not a member of this group.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.6) A member of the Libyan Islamic Fighting Group stated the Detainee took part in the fighting in Afghanistan.

Detainee (*through translator*): Never. I never participated in the fighting from the time of the Russians, and never when the parties were fighting between each other, and never on the Taliban's time. They arrested me in my house, not from the front lines. All my life, I worked in a restaurant, in a school, and I have a little store.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.7) The Detainee stated that, when he went to Afghanistan to attend training, he did not tell his family what he was going to do. Instead the Detainee informed his family that he was going to Pakistan to look for gold and to check things out.

Detainee (*through translator*): This is not right also. I went to Pakistan really just to buy gold. At that time, I was willing to get married. I did not go there for training.

Presiding Officer: The sentence is that you went to Afghanistan for training. You told your family you were going to Pakistan to find gold. Did you go to Afghanistan for training? That's the first sentence.

Detainee (*through translator*): If I went to Pakistan or Afghanistan, it was never for training.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.1) The Detainee stated he spent approximately one year on active duty with the Libyan Navy. According to the Detainee, he attended basic training where he learned basic tasks such as firing a weapon and trained on small patrol boat operations.

Detainee (*through translator*): Also, this is not supposed to be with the Summary. The people of every country have the right to have their own Army. They can train. What's wrong with this? That's all I have for this one.

Presiding Officer: The Board understands.

Designated Military Officer: (3.b.2) The Detainee stated he went to the Jaji and Sadah Training Camps.

Detainee (*through translator*): By the name of God, as I told you before, I went to Pakistan and Afghanistan not for training. Why is this question here? It's not an accusation. That's it.

Designated Military Officer: (3.b.3) The Detainee stated that, at the Sada Camp, he received training on several different types of firearms, including 6-mm and 8-mm pistols, a machine gun, and a Kalashnikov rifle.

Detainee (*through translator*): This is not right.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.4) The Detainee identified the 7.62-mm RPK rifle as the weapon he trained on while at the Khalden Training Camp.

Detainee (*through translator*): It's not right. And I want to add something. By the name of God, 6-mm or 7-mm, I don't know what that means. That's it.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.5) The Detainee stated that, after attending training in Sudda, Pakistan, he traveled to a camp in Khowst, Afghanistan. The Detainee trained there for approximately 15 days, receiving training on an unnamed heavy machine gun and the Kalashnikov rifle.

Detainee (*through translator*): It's not right. I never went to a place named Sudda.

Presiding Officer: Have you ever been to Khowst, Afghanistan?

Detainee (*through translator*): Yes, I have.

Presiding Officer: What were you doing there?

Detainee (*through translator*): Why are you asking me this question? It has nothing to do with it.

Presiding Officer: Can you tell me what year you were there?

Detainee (*through translator*): I don't remember.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.c.1) The Detainee stated that he resided at a madafa in Pakistan where many people came to train before they went to the front lines of Afghanistan.

Detainee (*through translator*): Same thing.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.2) The Detainee stated he stayed in the Libyan Islamic Fighting Group house in Jalalabad, Afghanistan in 1997.

Detainee (*through translator*): Yes, I stayed with them. What's wrong with that? I was simply in Afghanistan. I'm not cut from a tree. There were people living around me there, Afghans, Arabs, Muslims, and non-Muslims. I had some interest to deal. People would buy from me, sometimes on credit. Sometimes they don't come to pay their dues, so I have to go to their houses to collect money.

Presiding Officer: What business were you involved in?

Detainee (*through translator*): I have a little shop for food and materials.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.3) The Detainee stated that he stayed at the Libyan madafa for approximately a total of five months from 1997 to 1998. While residing at this madafa, the Detainee was shown a video of an attempted assassination of a Libyan leader. The Detainee stated all of the residents of this madafa, except for himself, were members of the Libyan Islamic Fighting Group.

Detainee (*through translator*): Same thing. I never stayed five months there. I was married and I had my own house. As I've said, it doesn't have any meaning if I went to a madafa and I saw this and that. What did I do wrong against you? You can ask me if there is anything you want to accuse me around this subject. Answer what question? There is nothing to answer. You asked me if I trained in my country, and if I went to a madafa, what I sold in my shop. The God and creator, who created me, can ask me. He never asked me something like that. God will ask me if I did something wrong to anybody and treated them bad. He's the only one. But don't ask me these questions. That's my answer.

Presiding Officer: Thank you.

Designated Military Officer: (3.c.4) The Detainee stated that, when he was in Pakistan, there were many al Qaida members and that he met people from al Qaida.

Detainee (*through translator*): This kind of question is okay. It's good. Secondly, I don't know anybody from al Qaida, not in Pakistan or Afghanistan. That's it.

Designated Military Officer: (3.c.5) A noted jihadist stated the Detainee was a security leader for Usama bin Laden during a trip to a guesthouse in Afghanistan.

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Detainee (*through translator*): I don't know what to say about this. The last time, you accused me that I was a guard with the guards of Usama bin Laden. Now, I'm a leader. Next time I will be Usama bin Laden himself. By the name of God, this is a big swear for me. I want to tell you I have never seen Usama bin Laden in front of me personally. I have never talked to him in person or on telephone. How can I be one of his guards when I have never seen him or talked to him?

Presiding Officer: What are your feelings concerning Usama bin Laden?

Detainee (*through translator*): He is a human being like other human beings. He made mistakes. He brought a big problem for the Islamic nation. That's my thought.

Designated Military Officer: (3.c.6) An al Qaida operative stated he saw the Detainee several times between 2000 and 2001 in Jalalabad, Afghanistan and believed the Detainee was in charge of a guesthouse for the Libyans.

Detainee (*through translator*): This is never right. It's right that I was in Jalalabad. Yes, in 2001, they arrested me. Also, it's not a good question. You know I was in Pakistan and Afghanistan. This is a waste of time and a waste of paper. That's all I have.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.1) The Detainee had a Casio F-91W watch in his possession at the time of apprehension.

Detainee (*through translator*): This is not a good question, too. If I search this camp, I will find a lot of people that have Casio watches. What does that mean? Is that a crime if I have a Casio watch?

Presiding Officer: Let us read the next allegation.

Designated Military Officer: (3.d.2) The type of Casio watch the Detainee had in his possession at the time of apprehension has been used in bombings that have been linked to al Qaida and radical Islamic terrorist groups with improvised explosive devices.

Detainee (*through translator*): Do you mean the one I had on my hand or that kind of Casio?

Presiding Officer: That type of Casio watch.

Detainee (*through translator*): By the name of God, if I had a Casio watch and somebody else had a Casio watch, and they used it to hurt others, what is my fault? Go to that company and ask them to take it out of production.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.3) The Detainee stated he is wanted in Libya for not complying with orders to serve again in the Navy.

Detainee (*through translator*): It's also not a good question. It is not a concrete accusation.

Presiding Officer: Okay.

Designated Military Officer: (4.a) The Detainee stated he is not a member of either al Qaida or the Libyan Islamic Fighting Group.

Detainee (*through translator*): That's right.

Designated Military Officer: (4.b) The Detainee stated he had gone to Pakistan originally to find work, not to fight as a jihadist. The Detainee stated he did not fight at all in Afghanistan and that he did not have the will to fight.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.c) The Detainee denied receiving any terrorist training or being a fighter.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.d) The Detainee stated that, in the total of 13 years in which he lived in Afghanistan, he never fired a single shot.

Detainee (*through translator*): Yes.

Designated Military Officer: (4.e) The Detainee stated that he was pressured to train as a fighter, but he refused.

Detainee (*through translator*): Yes, but nobody pressured me; they advised me so I wouldn't face any problems from not entering any training. Also, after that, I heard some people talking about me as to why I didn't go into training and fighting. They accused me of things that were biased and not right. That's it.

Designated Military Officer: (4.f) The Detainee stated the only support he gave the jihad was to teach the children of the Mujahedin. For this, the Detainee stated he received a salary, so it was not voluntary work for the jihad.

Detainee (*through translator*): What I did do, I gave a very humanitarian thing teaching reading and writing to the kids of immigrants from Afghanistan in Pakistan. This is something very human to do. It doesn't have anything to do with fighting. That's all I have.

Designated Military Officer: (4.g) An al Qaida operative stated the Detainee is not a member of al Qaida or of the Libyan Islamic Fighting Group.

Detainee (*through translator*): That's right. This is right. This is evident that what you wrote before is not right. It's a contradiction. That's it.

Designated Military Officer: (4.h) The Detainee claimed to have no prior knowledge of the 11 September 2001 attacks in the United States. The Detainee stated that if anyone knew of such attacks but failed to act to prevent them would be just as guilty as the perpetrators of the attack.

Detainee (*through translator*): Of course. I don't have any knowledge. But I don't remember saying the rest of the statement.

Presiding Officer: Do you agree with that?

Detainee (*through translator*): But it's right. There's no doubt about it that it's right. The whole thing is right.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (4.i) The Detainee stated that all religions teach peace and that killing innocents is not acceptable. The Detainee stated that individuals and/or groups that engage in terrorism are not preaching real religion; they are merely distorting Islam.

Detainee (*through translator*): There is no doubt about that.

Presiding Officer: Thank you.

***The Designated Military Officer confirmed that she 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 Assisting Military Officer stated that he had no additional comments or documents on behalf of the Detainee.***



***The Detainee was asked if he would like to make an oral statement to the Administrative Review Board.***

***The Detainee made the following statement:***

Detainee (*through translator*): By the name of God, the only God, I was not convinced to come in front of the ARB because I find that the rules and procedures in this place are not right. It does not go parallel with international and American laws. Like for me here, there is not anything against me. If I committed any crime against the United States or its allies, I would have been at my house a long time ago. Some of the people that were here in this place accused of things found to be right, some of them were from the front lines, some were leaders within the Taliban government, but they were let go back to their homes. I challenge anybody who can bring any proof that I fired one shot against any human being in the time of the Russians or after that. I also challenge anybody to bring proof that I was a member of Taliban, or al Qaida, or that I participated in anything against the United States in any way. I have stayed in this place for almost four and a half years. I am a sick man. I am suffering from a lot of things. You can find out about my diseases by asking for my record from the hospital. I came to this place as a normal man and not suffering from anything. I only had one or two problems, but I was a regular man. I was jogging, playing, eating, drinking, but now I am in a different situation. My health is deteriorating and I am going down. I cannot pose any threat to the United States. I had never been a threat to the United States when I was in good health. How about now? How can I pose a threat to the United States while in this situation? I am an innocent man. I never did anything wrong against you or your allies. But if I did something else, I was forced to do it under difficult circumstances relating to immigrating from place to place with real passports. I am not the only one in this world to travel from country to country. I have the right to travel and I have the right to live anywhere in peace without bringing any problems to others. It's a freedom; nobody can stop me from that. God gave me that right. The laws and rules give me those same rights. You can look at my background through these four and a half years here, in spite of the problems and difficulties, which made me to be in this situation, and find out if I spate on or threw number 1 or 2 to any of the soldiers. You will not find anything like that on me.

Presiding Officer: Sir, does that conclude your statement?

Detainee (*through translator*): Yes, almost. Excuse me for sitting on the floor and talking to you.

Presiding Officer: Sir, does that conclude your statement?

Detainee (*through translator*): I will repeat some of these things again. They don't have the right to keep me all this time and treat me this way. I am an innocent man. I never committed any crime against the United States or its allies; not in the past and not in the future. Also, the United States cannot ask me about certain things and consider it an accusation to hold me all this time. In fact, it's not right and it's not within the law. It's

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against all the laws, international or American laws. I remember there was one American here that had been arrested in Afghanistan. They brought him to the United States and put him through trial. They said he committed crimes. His trial was out in months. Maybe he is close to leaving prison, but I'm still here. Why? Is that because he is an American and I am not an American? That's what it appears to me. I never did anything and I'm still here. The American is the one who committed crimes against his country. He was tried for months and is close to leaving now. As a matter of fact, this is wrong and it's against all international laws. That's all I have.

Presiding Officer: Thank you, sir.

***The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.***

***The Assisting Military Officer had the following question for the Detainee:***

Assisting Military Officer: If you are released or transferred to your home country, what are your intentions?

Detainee (*through translator*): I talked about my health situation. I reached a point where I cannot do anything about it. The most I can do would be to just sit in my shop selling and buying from people. That's the most I can do. I cannot do anything else. When I wash my shirt, it will make me lay in my bed for an hour. This is my end. I am sure I will not be a threat to you. I couldn't do anything else as I have said. The only thing I am concerned about is my health. Taking care of myself and finding treatment will be very complicated. I will be staying at home because I can't do anything else. And as I have said before, you can ask the doctor and he will tell you the problems I have. I am sure you will be shocked. That's it.

***The Designated Military Officer had no further questions for the Detainee:***

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

Member: Abdul, have you had any contact with your family since you've been in Guantanamo?

Detainee (*through translator*): I sent a lot of letters to my family in Libya, but I had not received answers, except only one old message through Red Cross from my brother. It looks like that message was from my brother. That's all through these four and a half years. I have my wife and a little baby in Afghanistan. I receive one letter every three months from them. That's it.

Member: When you were living in Afghanistan, did you become a legal citizen of Afghanistan?

Detainee (*through translator*): Yes, they naturalized me. I have an Afghan ID or citizenship. It's not just myself. There are a lot of other Arabs that got it, too, at the time when Raban was the head of the regime.

Member: Okay. Okay. That's all I have. Thank you very much for attending today.

Presiding Officer: Sir, you were in Afghanistan for approximately 13 years?

Detainee (*through translator*): That's not right. It's between Afghanistan and Pakistan, almost 15 years between the two countries.

Presiding Officer: Where did you own a home in Afghanistan?

Detainee (*through translator*): I don't own a home. I lived in Jalalabad, but I don't have a house.

Presiding Officer: You lived in Afghanistan when the Taliban was in control of the government?

Detainee (*through translator*): Yes.

Presiding Officer: Do you support that type of government?

Detainee (*through translator*): Never.

Presiding Officer: If you were transferred to your home country, Libya, how do you think you would be received by the Libyan government?

Detainee (*through translator*): I don't know. When I was in Libya, I fled the country. There were a lot of things on me like, when I was in the Army, I was supposed to finish my time in the Army, but I did not. So I don't know if that is going to be a problem. Maybe it is going to be a problem. The regime changed, as I have heard, and it is not like it was before. I'm not sure about that. Things are different now.

Presiding Officer: Thank you, sir, for attending today.

***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.***

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AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



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