

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES UNION;  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE; CENTRAL  
INTELLIGENCE AGENCY; DEPARTMENT OF  
STATE; DEPARTMENT OF JUSTICE,

Defendants.

**DECLARATION OF  
JONATHAN HAFETZ**

09 Civ. 8071 (BSJ) (FM)

ECF Case

**DECLARATION OF JONATHAN HAFETZ**

I, Jonathan Hafetz, under penalty of perjury declare as follows:

1. I represent plaintiffs the American Civil Liberties Union and the American Civil Liberties Union Foundation in this action concerning a FOIA request that seeks from the Department of Defense (“DOD”) and other agencies records about, among other things, prisoners at Bagram Air Base (“Bagram”) in Afghanistan.

2. I submit this declaration in support of plaintiffs’ motion for partial summary judgment and in opposition to the DOD’s motion for partial summary judgment. The purpose of this declaration is to bring the Court’s attention to official government disclosures, as well as information in the public domain, concerning the citizenship, length of detention, and date, place, and circumstances of capture of detainees held at the Bagram and similarly-situated suspected terrorists and combatants in U.S. military custody at the U.S. Naval Base at Guantánamo Bay, Cuba (“Guantánamo”).

Publicly-Available Information about Detainees at Bagram Prison

3. On April 23, 2009, plaintiffs submitted a Freedom of Information Act (“FOIA”) request to DOD, the Central Intelligence Agency, the Department of Justice and the State Department seeking ten categories of records about Bagram, including records pertaining to detainees’ names, citizenships, length of detention, where they were captured, and the general circumstances of their capture. Attached hereto as Exhibit A is a true and correct copy of the FOIA request.

4. On January 15, 2010, in response to this litigation, the DOD released a document that lists the name and partial identification number (“SEQ” number) of every person who was detained at Bagram on September 22, 2009. All other information in the document is redacted. Attached hereto as Exhibit B is a true and correct copy of the document DOD released to plaintiffs on January 15, 2010.

5. In response to *habeas corpus* petitions filed in the District Court for the District of Columbia, the government has submitted publicly-available declarations by military officials regarding four people held at Bagram: Fadi al Maqaleh, Amin al Bakri, Redha Najar, and Haji Wazir. These declarations publicly confirm the name, citizenship, and/or location of capture of each detainee. To plaintiffs’ knowledge, these detainees remain imprisoned at Bagram.

a. Attached hereto as Exhibit C is a true and correct copy of the Declaration of Colonel Charles A. Tennison ¶¶ 19-20, *Maqaleh v. Gates*, 604 F. Supp. 2d 205 (D.D.C. 2009) (No. 06 Civ. 1669) (stating that Bagram detainee Fadi al Maqaleh is a Yemeni citizen and that he was captured in Zabul, Afghanistan).

b. Attached hereto as Exhibit D is a true and correct copy of the Declaration of Colonel Charles A. Tennison ¶ 19, *Bakri v. Obama*, 604 F. Supp. 2d 205 (D.D.C. 2009) (No. 08 Civ.1307 ) (stating that Bagram detainee Amin al Bakri is a Yemeni citizen).

c. Attached hereto as Exhibit E is a true and correct copy of the Declaration of Colonel Joe E. Etheridge ¶¶ 19-20, *Najar v. Gates*, 604 F. Supp. 2d 205 (D.D.C. 2009) (No. 08 Civ. 2143) (stating that Bagram detainee Redha al-Najar is a Tunisian citizen and that he was captured in Karachi, Pakistan).

d. Attached hereto as Exhibit F is a true and correct copy of the Declaration of Colonel Charles A. Tennison ¶¶ 19-20 *Wazir v. Gates*, 604 F. Supp. 2d 205 (D.D.C. 2009) (No. 06 Civ. 1697) (stating that Bagram detainee Haji Wazir is an Afghan citizen and that he was captured in Karachi, Pakistan).

6. A Defense Department official recently stated publicly that approximately 30 detainees at Bagram are not citizens of Afghanistan. Attached hereto as Exhibit G is a true and correct copy of James Bays, *Notes from Bagram Prison*, Aljazeera.net, Nov. 16, 2009 (quoting Brigadier General Mark Martin, the Acting Commander of the Bagram detention facility stating that “about 30” of the detainees detained at Bagram were non-Afghans and that the rest of the approximately 700 detainees were Afghans).

7. DOD has publicly disclosed information through press releases and other means regarding the date, location, and circumstances in which individuals have been captured in Afghanistan. Some of these captured individuals are currently detained at Bagram, as evidenced by the presence of their names on Exhibit B, the list of Bagram detainees disclosed by the DOD.

a. Attached hereto as Exhibit H is a true and correct copy of Press Release, Bagram Media Center, Combined Joint Task Force – 82, Detained Zabul Province Militant Identified (Apr. 30, 2008) (stating “Hajji Abdul Majid Khan was apprehended during [an] operation in Qalat District [and] was detained March 3 during an operation targeting him”).<sup>1</sup>

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<sup>1</sup> Available at: <http://www.cjtf82.com/press-releases-mainmenu-326/605-detained-zabul-province-militant-identified.html>.

Mr. Khan's name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under "seq" number 3510.

b. Attached hereto as Exhibit I is a true and correct copy of Press Release, Bagram Media Center, Combined Joint Task Force – 82, Key Militants Removed from Fight (Nov. 21, 2009) (describing the location, date and circumstances of capture of dozens of individuals captured or killed between August 20 and October 17, 2009).<sup>2</sup>

c. Attached hereto as Exhibit J is a true and correct copy of Press Release, Headquarters U.S. Forces Afghanistan, Combined Joint Task Force – 82, Afghan National Commando Forces Detain Insurgent Leader and Two Militants (Dec. 16, 2008) (stating "Afghan National Army Commandos, assisted by Coalition forces, detained an insurgent leader, Abdul Wahid, and two militants, Raz Gul and Haider, in Behsood district, Nangarhar province, Dec. 17. Afghan National Army Commandos conducted a raid, after receiving credible information, on a compound serving as a transit point for various Anti-Afghan Forces (AAF) facilitators moving throughout Nangarhar province. During the search of the compound, Afghan Commandos detained the three militants, Abdul Wahid, Raz Gul and Haider.").<sup>3</sup> Mr. Wahid's name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under "seq" number 3901.

d. Attached hereto as Exhibit K is a true and correct copy of Press Release, Headquarters U.S. Forces Afghanistan, Combined Joint Task Force – 82, Afghan National Commandos, Coalition Forces Capture Two Taliban Commanders and One Militant (Dec. 16, 2008) (stating "Afghan National Commandos, assisted by Coalition forces, detained Taliban commanders Abdul Aziz and Abdul Rahman as well as one militant, Ishmail, during a security

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<sup>2</sup> Available at: <http://www.cjtf82.com/regional-command-east-news-mainmenu-401/2074-key-militants-removed-from-fight.html>.

<sup>3</sup> Available at: <http://www.cjtf82.com/press-releases-mainmenu-326/1495-afghan-national-commandos-coalition-forces-detain-an-insurgent-leader-and-two-militants.html>.

patrol in Jalalabad City, Nangahar (Nangarhar) province, Dec. 15.”)<sup>4</sup> Mr. Aziz and Mr. Rahman’s names appear in Exhibit B, the list of Bagram detainees disclosed by the DOD, under “seq” numbers 3899 and 3900.

e. Attached hereto as Exhibit L is a true and correct copy of Press Release, Headquarters U.S. Forces Afghanistan, Combined Joint Task Force – 82, ANSF, Coalition Forces Detain Taliban Leader in Khowst Province (Nov. 17, 2008) (“Afghan National Security Forces and Coalition forces detained a Taliban leader [Laeek Shah] in Wurzi, Khowst province Nov. 9 . . . during a patrol without incident.”)<sup>5</sup> Mr. Shah’s name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under “seq” number 3848.

f. Attached hereto as Exhibit M is a true and correct copy of Press Release, Bagram Media Center, Combined Joint Task Force – 82, NDS, Coalition Forces Capture a Taliban Commander, Three Others in Kandahar (Oct. 7, 2008) (stating “Members of the National Directorate of Security and Coalition forces captured a Taliban commander and three additional persons of interest in Kandahar, Oct. 5. Hafiz Abdul Khaliq, a known Taliban commander, and three militants were located through intelligence reports in known safehouses in Panjwayi District.”)<sup>6</sup> Mr. Khaliq’s name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under “seq” number 3629.

g. Attached hereto as Exhibit N is a true and correct copy of *Afghan Forces Inflict Losses, Detain Local Taliban Leader*, Am. Forces Press Service, Mar. 5, 2008 (stating “Afghan and coalition forces positively identified a Taliban leader detained during a Feb. 25

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<sup>4</sup> Available at: <http://www.cjtf82.com/press-releases-mainmenu-326/1494-afghan-national-commandos-coalition-forces-capture-two-taliban-commanders-and-one-militant.html>.

<sup>5</sup> Available at: <http://www.cjtf82.com/press-releases-mainmenu-326/1402-ansf-coalition-forces-detain-taliban-leader-in-khowst-province.html>.

<sup>6</sup> Available at: <http://www.cjtf82.com/press-releases-mainmenu-326/1331-nds-coalition-forces-capture-a-taliban-commander-three-others-in-kandahar-.html>.

joint operation in Ghazni province as Mullah Shabir.”)<sup>7</sup> Mr. Shabir’s name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under “seq” number 3468.

h. Attached hereto as Exhibit O is a true and correct copy of *Detained Afghan Militants Identified as Haqanni Network Members*, Asia World News, Apr. 25, 2008 (stating “Baitullah and Mahajir Ziarahman were apprehended during an operation in Sabari district targeting the Haqanni network and improvised explosive device (IED) cells, said a military statement issued from the US base in Bagram.”)<sup>8</sup> Mahajir Ziarahman’s name appears in Exhibit B, the list of Bagram detainees disclosed by the DOD, under “seq” number 3580.

8. The Department of Defense has publicly released general information about the circumstances under which individuals detained at Bagram were captured.

a. Attached hereto as Exhibit P is a true and correct copy of the relevant portion of Brig. Gen. Charles H. Jacoby, *CFC-AO Detainee Operations: Report of Inspection*, (June 26, 2004) (“Jacoby Report”).<sup>9</sup> The Report discusses detainee operations in Afghanistan and states that, as of 2004, detainees arrived at Bagram “from a variety of sources,” *id.* at 9; that “policy on initial capture [was] lacking,” *id.* at 8; and that “units in theater regularly conduct cordon and search operations, but some detain few if any persons, while others detain in large numbers,” *id.*

b. Attached hereto as Exhibit Q is a true and correct copy of the relevant portions of Vice Adm. Albert T. Church, *Review of Department of Defence Detainee Operations*

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<sup>7</sup> Available at: <http://www.globalsecurity.org/military/library/news/2008/03/mil-080305-afps02.htm>.

<sup>8</sup> Available at: <http://www.earthtimes.org/articles/show/201322,detained-afghan-militants-identified-as-haqanni-network-members.html>.

<sup>9</sup> Available at: <http://action.aclu.org/torturefoia/released/061906/JacobyReport.pdf>.

*and Detainee Interrogation Techniques* 189 (March 7, 2005) (“Church Report”).<sup>10</sup> The Report examined detention abuses in, among other places, Afghanistan and found that, as of 2005, “[p]ersons c[a]me into U.S. custody in Afghanistan through several means,” *id.* at 189; that “there [were] a small number who were captured in traditional force-on-force fighting against Taliban or al-Qaeda groups or following seizure of an enemy facility,” *id.*; that “there [were] also detainees who were captured by opposition groups such as the Northern Alliance, and transferred to U.S. control, *id.*; and that “there [were] those who [were] picked up by U.S. forces in the course of ongoing operations” including “raids in which specific personnel are sought based on intelligence information,” “capture[s] in the immediate aftermath of attacks against U.S. or Afghan forces,” and “‘cordon and sweep’ operations,” *id.*

9. Information about the citizenship, length of detention, and location, date, and circumstances of capture of some Bagram detainees have been discussed in publicly-available judicial decisions, reports by human rights organizations, and media articles. These publicly-available sources suggest that the length of time between a detainee’s date of capture and his transfer to Bagram varies widely, and that some Bagram detainees were not captured by U.S. forces or during the course of U.S. military operations.

a. *Maqaleh v. Gates*, 604 F. Supp. 2d 205 (D.D.C. 2009), a judicial ruling pertaining to *habeas* petitions filed by Bagram detainees Fadi al Maqaleh, Amin al Bakri, Redha Najjar, and Haji Wazir, includes details about the petitioners’ citizenship, length of detention, and date and location of capture. The Opinion states that: “petitioners [had been] held at the Bagram Theater Internment Facility. . . for six years or more,” *id.* at 207 and that “Fadi al Maqaleh [is] a Yemeni citizen who was taken into U.S. custody sometime in 2003 [and] claims that he was

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<sup>10</sup> Available at: <http://www.aclu.org/national-security/church-report-documents-released-aclu-4302008>.

captured beyond Afghan borders but does not specify where. Haji Wazir [is] an Afghan citizen. . . . Wazir was captured in Dubai, United Arab Emirates in 2002 and has been in U.S. custody since. Amin al Bakri is a Yemeni citizen, captured by U.S. forces in Thailand in 2002 . . . . Redha al-Najar . . . is a citizen of Tunisia who was captured in Pakistan in 2002,” *id.* at 209.

b. *Mohammed v. Obama*, No. 05-1347, 2009 WL 4884194 (D.D.C. Dec. 16, 2009), a judicial ruling that discusses the detention of former Bagram detainee Binyam Mohamed, includes the date, location, and general circumstances of his capture, as well as the length of his detention at Bagram. The Opinion states that Mr. Mohamed was initially captured by Pakistani officials in Karachi, Pakistan on April 10, 2002, while attempting to leave Karachi, *id.* at 18; that he was transferred on July 19-22, 2002 to Moroccan custody in Rabat, Morocco, *id.* at 19; that on January 21 or 22, 2004, he was transferred to a secret U.S. prison in Kabul, Afghanistan, *id.* at 21; that he was subsequently transferred to the detention facility at Bagram in May of 2004, *id.* at 22; and that he was transferred from Bagram to Guantánamo in September of 2004, *id.* at 24.

c. Attached hereto as Exhibit R is a true and correct copy of Matthias Gebauer, John Goetz & Britta Sandberg, *Prisoner Abuse Continues at Bagram Prison in Afghanistan*, Der Spiegel Online, Sep. 21, 2009 (describing the date, location and circumstances of capture of former Bagram detainee Raymond Azar).

d. Attached hereto as Exhibit S is a true and correct copy of the relevant portions of Amnesty Int’l, *USA: Out of Sight, Out of Mind, Out of Court? The Right of Bagram Detainees to Judicial Review* (Feb. 18, 2009).<sup>11</sup> The report discusses the detention of a number of former Bagram detainees, including the date and general circumstances of capture of several detainees, including Moazzem Begg, “a UK national who was abducted in January 2002 from

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<sup>11</sup> Available at: <http://www.amnesty.org/en/library/info/AMR51/021/2009/en>.



Pakistan by US agents,” *id.* at 8; Bisher al Rawi, “an Iraqi national and UK resident seized in Gambia in late 2002,” *id.* at 9; and Jawed Ahmad, who “was working as a journalist for Canadian Television (CTV) News” and “was arrested at the US air base in Kandahar” in October 2007, *id.* at 13-14. The report also provides a brief history of Bagram detentions, *id.* at 5-15, including the various ways that detainees have come to be detained at Bagram, noting that Bagram detainees “have never been a homogenous group, but have comprised individuals of different nationalities who have been picked up from a variety of locations and in different circumstances, including in faraway countries and in situations other than armed conflict,” *id.* at 7.

e. Attached hereto as Exhibit T is a true and correct copy of Open Society Institute & The Liaison Society, *Strangers at the Door: Night Raids by International Forces Lose Hearts and Minds in Afghanistan* (Feb. 23, 2010). The report describes the continuing practice of nighttime raids on homes resulting in the capture of individuals in Afghanistan.

f. Attached hereto as Exhibit U is a true and correct copy of the relevant portions of Amnesty Int’l, *USA: Urgent Need for Transparency on Bagram Detentions* 3-4 (Mar. 6, 2009).<sup>12</sup> The report, citing the public remarks of the United Kingdom’s Minister of Defence, describes two prisoners who were captured by United Kingdom forces in Iraq in February 2004, and then transferred from Iraq to Bagram for detention.

g. Attached hereto as Exhibit V is a true and correct copy of Tim Golden, *In U.S. Report, Brutal Details of 2 Afghan Inmates' Deaths*, N.Y. Times, May 20, 2005 (reporting that “Mr. Habibullah” a detainee who was killed while in custody at Bagram “was captured by an Afghan warlord on Nov. 28, 2002, and delivered to Bagram by C.I.A. operatives two days later.”)

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<sup>12</sup> Available at: <http://www.amnesty.org/en/library/info/AMR51/031/2009/en>.

Publicly-Available Information About Military Detainees at Guantánamo

10. The DOD has publicly released lists that include the name, citizenship and other information about the detainees it has held or is continuing to hold at the U.S. detention center at Guantánamo. All of these lists are made available by the DOD to the public online at <http://www.dod.mil/pubs/foi/detainees/>.

a. Attached hereto as Exhibit W is a true and correct copy of Dep't of Defense, List of Detainees Who Went Through Complete CSRT Process (Apr. 19, 2006).<sup>13</sup> The list includes the full name, short ISN, and citizenship of every detainee at Guantánamo whose detention was reviewed by a Combatant Status Review Tribunal. The list includes entries for 558 detainees.

b. Attached hereto as Exhibit X is a true and correct copy of Dep't of Defense, List of Individuals Detained by the Department of Defense at Guantánamo Bay, Cuba from January 2002 through May 12, 2006 (May 15, 2006). The list includes the full name, short ISN, citizenship, place of birth, and date of birth of all 759 persons detained at Guantánamo Bay between January 2002 and May 15, 2006.

c. Attached hereto as Exhibit Y is a true and correct copy of Dep't of Defense, List of Detainees Released or Transferred from Detention at Guantánamo Bay, Cuba as of October 6, 2008 (Nov. 25, 2008). The list includes the short ISN, full name, citizenship, and release/transfer date of every detainee released from Guantánamo Bay through October 9, 2008.

11. The DOD has publicly released information about the date, location, and circumstances of capture of most Guantánamo detainees. The DOD, for example, has publicly released the Unclassified Summaries of Evidence it prepared for each Guantánamo detainee's

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<sup>13</sup> Available at: [http://www.dod.mil/pubs/foi/detainees/detainee\\_list.pdf](http://www.dod.mil/pubs/foi/detainees/detainee_list.pdf).

Combatant Status Review Tribunal. These documents, which comprise 819 pages, are available online at [http://www.dod.gov/pubs/foi/detainees/csrt\\_arb/index.html](http://www.dod.gov/pubs/foi/detainees/csrt_arb/index.html).<sup>14</sup> The Unclassified Summaries describe the location, date, and/or circumstances of capture of most detainees, including detainees captured in Afghanistan. *See, e.g.*, Dep't of Defense, Unclassified Summaries for Combatant Status Review Tribunals,<sup>15</sup> at 4 (“[David Matthew Hicks] was captured by Northern Alliance forces near Bagram”); *id.* at 5 (“[Ruhani Golam] served . . . in Kabul . . . until his capture by U.S. Forces in December of 2001. . . . Detainee was captured with a Senior Taliban intelligence member, Abdul Haq Wasiq, by U.S. forces on 9 Dec 2001”); *id.* at 9-10 (“[Mullah Norullah Noori] was captured by Northern Alliance Forces along with a Taliban leader and five Taliban soldiers.”); *id.* at 11-12 (“[Mullah Mohammad Mazl] was preparing to engage opposition forces on 30 November 2001, when the Taliban Defense Minister ordered him to surrender to the Northern Alliance. . . . The detainee was captured on the front lines in Mazar-e-Sharif.”); *id.* at 13 (“[Abdullah Gulam Rasoul] was captured while riding in a car with a Taliban leader named Mohammad.”); *id.* at 15 (“[Abdul Sattar] was in a military convoy with seventy (70) fighters when his convoy was bombed. He fled his truck, but was later captured by villagers and turned over to the Northern Alliance.”); *id.* at 17-18 (“[Zia Ul Shah] was ordered to surrender to Northern Alliance forces. Detainee was instructed to drive himself and approximately 60 fighters and their Kalashnikov weapons to Mazar-e-Sharif.”); *id.* at 20 (“[Shakhrukh Hamiduva] was captured by the Northern Alliance in Mazar-E-Sharif, Afghanistan.”); *id.* at 24 (“[Majid Abdallah al Judi] was captured by U.S. forces in a hospital along with several al-Qaida members.”); *id.* at 25 (“[Fahed Abdullah Ahmad Ghazi] attempted to

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<sup>14</sup> Because these documents are so lengthy, plaintiffs supply only the Internet link here. Plaintiffs would be happy to provide the Court with copies of the documents cited herein if necessary.

<sup>15</sup> The citations and quotations that follow are taken from the first 100 pages of the Unclassified Summaries of Evidence of the Combatant Status Review Tribunals, which are available online here: [http://www.dod.gov/pubs/foi/detainees/csrt\\_arb/000001-000100.pdf](http://www.dod.gov/pubs/foi/detainees/csrt_arb/000001-000100.pdf).

flee [Afghanistan] following the U.S. air strikes. He crossed the border into Pakistan, and surrendered to authorities, who accused him of being a terrorist trying to escape from [Afghanistan].”); *id.* at 26-27 (“[Uthman Abdul Rahim Mohammed Uthman] fled Afghanistan subsequent to the fall of Kabul. The detainee was caught and detained in the Tora Bora region.”); *id.* at 28 (“[Muaz Hamza Ahmad al Alawi] was captured as he fled from Afghanistan into Pakistan, and was then turned over to U.S. forces.”); *id.* at 30 (“[Muhammad Ahmad Abdallah al Ansi] was arrested by the Pakistani authorities shortly after crossing the border.”); *id.* at 31 (“[Ahmed Umar Abdullah al Hikimi] was captured while trying to cross into Pakistan from Afghanistan on 15 December 2001, with 30 other suspected al Qaida members.”); *id.* at 33 (“[Faruq Ali Ahmed] was captured by Pakistani Forces as part of an organized group of 30 Mujhedeem after the fall of Tora Bora.”); *id.* at 34 (“[Mohammed Ahmad Said el Edah] was arrested by Pakistani authorities, in Pakistan.”); *id.* at 36 (“Before Ramadan, the Northern Alliance push on Kabul caused [Idris Ahmed Abd al Qadir Idris] to flee to Khowst, Afghanistan where he joined the group of thirty Arabs. All members of this group were apprehended by Pakistani authorities as they tried to cross into Pakistan via the Parachinar border checkpoint.”); *id.* at 38-39 (“[Ibrahim Othman Ibrahim Idris] drove with Taliban members towards the border of Afghanistan and Pakistan, split from this group at the border and surrendered to the Pakistani Army, where he was put in jail to be later turned over to United States forces in Kandahar, Afghanistan.”); *id.* at 46 (“[Abdel Qadir Husayn al Mudhaffari] was captured while trying to cross into Pakistan from Afghanistan on 15 December 2001, with 30 other suspected al Qaida members.”); *id.* at 50 (“Pakistani security forces captured [Abdul Rahman Shalabi] in the company of 29 other Arabs attempting to enter Pakistan.”); *id.* at 52-53 (“[Samir Naji Al Hasan Moqbel] surrendered to a Pakistani security force at the border.”); *id.* at 54-55 (“[Mohammed Rajab Sadiq Abu Ghanim] was captured on the border of Afghanistan and Pakistan with a group

of approximately 30 individuals attempting to cross into Pakistan.”); *id.* at 60 (“[Assem Matruq Mohammad al Aasmi] was smuggled into Pakistan for medical treatment. He was then arrested by Pakistani authorities and turned over to U.S. forces.”); *id.* at 63 (“[Majid al Barayan] was captured at the Pakistani border.”); *id.* at 66 (“[Saud Dakhil Allah Muslih al Mahayawi] was captured attempting to cross the border from Afghanistan into Pakistan with several known members of al Qaida, Usama Bin Laden bodyguards and Taliban fighters.”); *id.* at 67-68 (“[Ibrahim Ahmed Mahmoud al Qosi] fled to Tora Bora with his Kalashnikov rifle for the Pakistani Border, where he was captured by Pakistani tribes and turned over to Pakistani officials.”); *id.* at 69 (“[Muhammed Yahia Mosin al Zayla] retreated from the battlefield to Pakistan where he surrendered, as part of a group of thirty individuals, to Pakistani Forces.”); at 71 (“[Salim Suliman al Harbi] was captured by Pakistani forces while trying to cross into Pakistan.”); *id.* at 73 (“[Sultan Ahmed Dirdeer Musa al Uqaydha] was captured while trying to cross into Pakistan from Afghanistan on 15 December 2001 with 30 other suspected al Qaida members.”); *id.* at 75 (“[Adil Kamil Abdullah al Wadi] was captured by the Pakistani military after leaving Afghanistan.”); *id.* at 76 (“[Murat Karnaz] admitted he traveled from Frankfurt, Germany to Kurachi, Pakistan (via plane), to Islamabad, PK (via plane), and to Lahore, PK (via bus) an unnamed village (vic of Peshawar, PK) and attempted travel back to Peshawar when he was arrested and brought into custody.”); *id.* at 78 (“[Muhamad Naji Subhi al Juhani] was taking [sic] into custody in December 2001 while trying to cross into Pakistan from Afghanistan.”); *id.* at 79 (“[Muhammad Mani Ahmed Al Shal Lan al Qahtani] retreated along with 29 other mujehadeen from Tora Bora to the Pakistani Border, where they [were] captured by Pakistani Forces in December 2001”); *id.* at 83 (“[Yahya Samil al-Suwaymil al-Sulami] was identified as being in a group of 30 Usama Bin Laden bodyguards and drivers captured by the Pakistani military while fleeing Afghanistan.”); *id.* at 84-85 (“[Abd Al-Razzaq Abdallah Ibrahim al

Tamini] was captured by Pakistani Police while traveling with a group of Arabs and Afghanis, some of whom were security guards for Usama Bin Laden.”); *id.* at 86 (“[Khalid Saud Abd al Rahman al Bawardi] was captured with a group of al Qaida members.”); *id.* at 87 (“[Sadeq Muhammad Sa’id Ismail] was identified as a Yemeni mujahid at al-Farouq training camp and was captured at Tora Bora, Afghanistan.”); *id.* at 89 (“[Houari] was captured on his way to the hospital after being injured when a comrade accidentally detonated a grenade.”); *id.* at 90 (“[Laacin Ikassrin] was captured by U.S. forces with other Taliban members in Mazar e-Sharif”); *id.* at 91 (“[Yusif Khalil Abdallah] surrendered in Masar-E-Sharif and was put in Jenki prison where he was wounded in the prison uprising.”); *id.* at 93 (“[Mesh Arsad al Rashid] surrendered to Rashid Dostum’s forces.”); *id.* at 95-96 (“[Najeb Lahassihi] surrendered to General Dostum’s forces near Mazar-e-Sharif.”); *id.* at 97-98 (“[Rukniddin Fayziddinovich Sharipov] was captured in Mazar-e-Sharif by coalition forces.”); *id.* at 99 (“[Mehrabanb Fazrollah] was captured carrying a Kalishnikov rifle and ammunition.”); *id.* at 100 (“[Mohammad Ahmed Abdullah Saleh al Hanashi] was captured at Mazar-e-Sharif.”).

a. Attached hereto as Exhibit Z is a true and correct copy of the relevant portions of Mark Denbeaux & Joshua Denbeaux, *Report on Guantanamo Detainees: A Profile of 517 Detainees through Analysis of Department of Defense Data* (Feb. 8 2006) (analyzing publicly-released Department of Defense data about Guantánamo detainees and observing, *inter alia*, that “[o]nly 5% of detainees were captured by United States forces” and that “86% of the detainees were arrested by either Pakistan or the Northern Alliance and turned over to United States custody,” at 2-3, and providing a statistical breakdown, including illustrative graphs, of their circumstances and location of capture, at 14-18.).<sup>16</sup>

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<sup>16</sup> Available at:  
[http://law.shu.edu/publications/guantanamoReports/guantanamo\\_report\\_final\\_2\\_08\\_06.pdf](http://law.shu.edu/publications/guantanamoReports/guantanamo_report_final_2_08_06.pdf)

b.       Unclassified judicial decisions concerning *habeas corpus* petitions brought by Guantánamo Bay detainees often include information about the location, circumstances, and date of capture of the Petitioner. *See, e.g., Boumediene v. Bush*, 579 F. Supp. 2d 191, 193 (D.D.C. 2008) (“At the time of their arrest, all six petitioners, who are native Algerians, were residing in Bosnia and Herzegovina. . . . All six men were arrested by Bosnian authorities in October 2001 . . . On January 17, 2002, upon their release from prison in Sarajevo, petitioners were detained by Bosnian authorities and U.S. personnel.”); *In re Guantanamo Bay Detainee Litigation*, 581 F. Supp. 2d 33, 35 (D.D.C. 2008) (“Local villagers [in Pakistan] handed the petitioners [17 Uighurs] over to Pakistani officials in late 2001. These officials then turned the petitioners over to the U.S. military for \$5,000 a head.”); *Al Ginco v. Obama*, 626 F. Supp. 2d 123, 125, 127 (D.D.C. 2009) (“Petitioner Janko, a Syrian citizen . . . was taken into custody by U.S. forces in January 2002 in Kandahar, Afghanistan. . . . [H]e was taken into custody after U.S. forces learned from a reporter of [his] presence at the abandoned [Sarpusa] prison in January 2002.”); *Sliti v. Bush*, 592 F. Supp. 2d 46, 48 (D.D.C. 2008) (“Petitioner Sliti escaped from the Pakistani authorities and returned to Afghanistan, where he remained until late 2001, when he was picked up by Pakistani authorities while fleeing from Afghanistan”); *Al-Adahi v. Obama*, No. 05-280, 2009 WL 2584685, at \* 14-15 (D.D.C. Aug. 21, 2009) (examining the evidence supporting the Government’s allegation that “Al Adahi . . . was arrested on a bus while fleeing from Afghanistan to Pakistan with al-Qaida soldiers”); *Hammamy v. Obama*, 604 F. Supp. 2d 240, 241 (D.D.C. 2009) (“Petitioner Hammamy, a Tunisian citizen, was arrested in April 2002 in Pakistan by Pakistani authorities.”); *Al Rabiah v. Obama*, 658 F. Supp. 2d 11, 21-22 (“Al Rabiah . . . travel[ed] across Afghanistan toward Peshawar, ultimately getting captured (unarmed) by villagers outside of Jalalabad, Afghanistan (across the border from Peshawar, Pakistan) on approximately December 25, 2001.”).

c. Andy Worthington, a researcher and author, has published a list of all 779 prisoners held at Guantánamo Bay since the prison opened in January of 2002. *See* Andy Worthington, *Guantánamo: The Definitive Prisoner List (Updated for 2010)* (January 4, 2010), available at <http://www.andyworthington.co.uk/2010/01/04/guantanamo-the-definitive-prisoner-list-updated-for-2010/>. The list, compiled from an analysis of thousands of pages of DOD documents and other sources, provides information about the location, circumstances, and approximate date of capture of nearly all of the detainees.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on this 10th day of March 2010.

  
Jonathan Hafetz



# Exhibit A



April 23, 2009

Information Officer  
Office of Freedom of Information and Security Review  
Directorate for Executive Services and Communications  
FOIA/Privacy Branch  
1155 Defense Pentagon, Room 2C757  
Washington, D.C. 20301-1155

FOIA/PA Mail Referral Unit  
Department of Justice  
Room 115  
LOC Building  
Washington, D.C. 20530-0001

Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, D.C. 20505

Office of Information Programs and Services  
A/ISS/IPS/RL  
U.S. Department of State  
Washington, D.C. 20522-8100

AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
LEGAL DEPARTMENT  
NATIONAL OFFICE  
125 BROAD STREET, 18TH FL.  
NEW YORK, NY 10004-2400  
T/212.549.2500  
F/212.549.2651  
WWW.ACLU.ORG

OFFICERS AND DIRECTORS  
SUSAN N. HERMAN  
PRESIDENT

ANTHONY D. ROMERO  
EXECUTIVE DIRECTOR

RICHARD ZACKS  
TREASURER

Re: **REQUEST UNDER FREEDOM OF INFORMATION ACT/  
Expedited Processing Requested**

To Whom it May Concern:

This letter constitutes a request ("Request") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 *et seq.*, the Department of Defense implementing regulations, 32 C.F.R. § 286.1 *et seq.*, the Department of Justice implementing regulations, 28 C.F.R. § 16.1 *et seq.*, the Department of State implementing regulations, 22 C.F.R. § 171.1 *et seq.*, and the Central Intelligence Agency implementing regulations, 32 C.F.R. § 1900.01 *et seq.* The Request is submitted by the American Civil Liberties Union Foundation and the American Civil Liberties Union (collectively, the "ACLU").<sup>1</sup>

<sup>1</sup> The American Civil Liberties Union is a national organization that works to protect civil rights and civil liberties. Among other things, the ACLU advocates for national security policies that are consistent with the Constitution, the rule of law, and

This Request seeks records pertaining to the detention and treatment of prisoners held at the Bagram Theater Internment Facility at Bagram Airfield in Afghanistan (“Bagram”), including records concerning the process afforded these prisoners to challenge their detention and designation as “enemy combatants.”

Recent news reports suggest that the U.S. government is detaining more than 600 individuals at Bagram. *See, e.g.,* Charlie Savage, *Judge Rules Some Prisoners at Bagram Have Right of Habeas Corpus*, N.Y. Times, Apr. 3, 2009 (“The United States government is holding about 600 people at Bagram without charges and in spartan conditions.”). The Bagram prison population includes not only Afghan citizens captured in Afghanistan but also an unknown number of foreign nationals captured outside of Afghanistan but held at Bagram as suspected terrorists or “enemy combatants.” *See* R. Jeffrey Smith, *Obama Follows Bush Policy on Detainee Access to Courts*, Wash. Post, Apr. 11, 2009. Some of these prisoners have been detained for as long as six years. *See* James Vicini, *Judge Rules Afghan Detainees Can Sue in U.S. Court*, Reuters, Apr. 2, 2009. Bagram prisoners are not permitted any access to counsel, *see* Warren Richey, *Terror Suspects Held in Afghanistan May Challenge Their Detention*, Christian Science Monitor, Apr. 3, 2009, and only recently have been permitted any contact with their family, *see* Fisnik Abrashi, *U.S. Allows First Family Visits to Afghan Prison*, Assoc. Press, Sept. 23, 2008; Carlotta Gall, *Video Link Plucks Afghan Detainees From Black Hole of Isolation*, N.Y. Times, Apr. 13, 2008.

Bagram prisoners reportedly receive an even less robust and meaningful process for challenging their detention and designation as “enemy combatants” than the process afforded prisoners at the U.S. Naval Base at Guantanamo Bay (“Guantanamo”) – a process the U.S. Supreme Court declared unconstitutional last year. *See* Daphne Eviatar, *Judge Rules Bagram Detainees Can Appeal to U.S. Courts*, Wash. Independent, Apr. 3, 2009. Indeed, a federal judge recently observed that the “process at Bagram falls well short of what the Supreme Court found inadequate at Guantanamo.” *Al Maqaleh v. Gates*, --- F.Supp.2d ----, 2009 WL 863657, \* 19 (D.D.C. Apr. 2, 2009). Moreover, there is public concern that the U.S. government is holding many prisoners at Bagram, rather than at Guantanamo, specifically to avoid any judicial review of their detentions in U.S. courts. Editorial, *The Next Guantanamo*, N.Y. Times, Apr. 12, 2009 (“the evidence suggests it was the prospect that Guantánamo

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fundamental human rights. The ACLU also educates the public about U.S. national security policies and practices, including those pertaining to the detention, treatment, and process afforded suspected terrorists and alleged “enemy combatants” held in U.S. custody since the 9/11 terrorist attacks.

detentions might be subject to judicial oversight that caused the military to divert captives to Bagram instead”).

Media reports suggest that the conditions of confinement at Bagram are primitive and that abuse and mistreatment of prisoners was once, and may still be, widespread. *See, e.g.,* Daphne Eviatar, *Judge Rules Bagram Detainees Can Appeal to U.S. Courts*, Wash. Independent, Apr. 3, 2009; William Fischer, *Afghan Prison Looks Like Another Guantanamo*, Inter Press Service, Jan. 14, 2008 (“a recent confidential report from the International Committee of the Red Cross (ICRC) has reportedly complained about continued mistreatment of prisoners . . . massive overcrowding, ‘harsh’ conditions, lack of clarity about the legal basis for detention, prisoners held ‘incommunicado’, in ‘a previously undisclosed warren of isolation cells,’ and ‘sometimes subjected to cruel treatment’”). At least two Bagram prisoners have died while in U.S. custody; Army investigators concluded that these deaths were homicides. *See* Tim Golden, *In U.S. Report, Brutal Details of 2 Afghan Inmates’ Deaths*, N.Y. Times, May 20, 2005.

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The U.S. government’s Bagram detention facility has been the focus of widespread media attention and public concern for many years. Despite that attention, however, very little information about the facility – or the prisoners held there – has been made public. *See, e.g.,* Charlie Savage, *Judge Rules Some Prisoners at Bagram Have Right of Habeas Corpus*, N.Y. Times, Apr. 3, 2009 (“United States officials have never provided a full accounting of the prison population”); R. Jeffrey Smith, *Obama Follows Bush Policy on Detainee Access to Courts*, Wash. Post, Apr. 11, 2009 (“The government has not said publicly how many of the approximately 600 people detained there are non-Afghans”); William Fisher, *U.S. Judge Gives Bagram Prisoners Right to Appeal*, Inter Press Service, Apr. 3, 2009 (“the U.S. has not released details of who is held there”); Tim Golden and Eric Schmitt, *A Growing Afghan Prison Rivals Bleak Guantánamo*, N.Y. Times, Feb. 26, 2006 (“Bagram has operated in rigorous secrecy since it opened in 2002”). The American public remains ill-informed about even the most basic facts about Bagram, including, for example, many of the policies and rules that govern the U.S. government’s detention of hundreds of people there; who precisely is being detained there, for how long, and on what basis; where and under what circumstances these prisoners were captured; whether the prisoners have a meaningful opportunity for challenging their (often prolonged) detention; whether that process meets the standards required by international, domestic, and military law; and whether any prisoners have successfully challenged their detentions through the existing status determination process.

Public attention to Bagram has recently intensified significantly. Earlier this month, a federal judge ruled that some prisoners at Bagram can challenge their detention in U.S. courts. *See* Charlie Savage, *Judge Rules Some Prisoners at Bagram Have Right of Habeas Corpus*, N.Y. Times, Apr. 3, 2009. This ruling has led to renewed scrutiny of the U.S. government's actions at Bagram and fierce speculation about whether the Obama Administration will deviate from Bush Administration policies and practices at Bagram. *See, e.g.*, R. Jeffrey Smith, *Obama Follows Bush Policy on Detainee Access to Courts*, Wash. Post, Apr. 11, 2009; *Obama to Appeal Detainee Ruling*, N.Y. Times, Apr. 10, 2009; David G. Savage, *Some Prisoners at Bagram Air Base Can Challenge Detentions, Judge Rules*, L.A. Times, Apr. 3, 2009 ("The prison at the Afghan base was being expanded during the last year of the Bush administration, leading some to predict that the Pentagon would resolve its Guantanamo problem by sending more inmates to Bagram . . . a spokesman said the [Obama] administration was taking 180 days to decide on its prison policy.").

In short, there is renewed public concern that Bagram has become, in effect, the new Guantanamo. *See, e.g.*, Editorial, *The Next Guantanamo*, N.Y. Times, Apr. 12, 2009.

#### **Requested Records**

1. All records, including logs, charts, or lists, pertaining to the number of people currently detained at Bagram.
2. All records, including logs, charts, or lists, pertaining to the names of individuals currently detained at Bagram.
3. All records, including logs, charts, or lists, pertaining to the citizenship of individuals currently detained at Bagram.
4. All records, including logs, charts, or lists, pertaining to date of capture and length of detention of individuals currently detained at Bagram.
5. All records, including logs, charts, or lists, pertaining to the places and circumstances of capture of individuals currently detained at Bagram.
6. All records created after September 11, 2001, pertaining to the rendition and/or transfer of individuals captured outside Afghanistan to Bagram, including memoranda, correspondence, procedures, policies, directives, guidance, or guidelines concerning when, why, and under what circumstances prisoners seized outside Afghanistan should be detained at Bagram rather than being brought to the United States, handed over to another country, or detained by the United States at

Guantanamo Bay or some other detention facility outside of Afghanistan.

7. All records created after September 11, 2001, including memoranda, correspondence, procedures, policies, directives, practices, guidance, or guidelines, as well as agreements, accords, contracts, correspondence, and memoranda, between the U.S. the and Afghan government, pertaining to the detention at Bagram of individuals captured in Afghanistan, and when, how, and why the determination is made by the United States to detain Afghan citizens at Bagram rather than at prisons or other facilities operated or controlled by the Afghan government.
8. All records created after September 11, 2001, pertaining to the process for determining and reviewing Bagram prisoners' status, the process for determining whether their detention is appropriate, and the process for determining who should be released, including but not limited to:
  - A. Any memoranda, correspondence, procedures, policies, directives, practices, guidance, or guidelines concerning the development and operation of the status review process, as well as changes to that process over time.
  - B. Any memoranda, correspondence, procedures, policies, directives, practices, guidance, or guidelines concerning whether prisoners should be given access to or denied access to counsel or another representative.
  - C. Any memoranda, correspondence, procedures, policies, directives, practices, guidance, or guidelines concerning: the provision or withholding of notice to prisoners of the basis for their detention; the composition of the Unlawful Enemy Combatant Review Board ("UECRB"); the convening of or decision not to convene an UECRB; the kinds of evidence to be reviewed by the UECRB; the standard employed to determine whether detention is appropriate; the prisoner's opportunity to submit written statements or other evidence to the UECRB; the prisoner's opportunity to rebut the government's evidence or question government witnesses; the presentation or consideration of exculpatory evidence; the prisoner's opportunity to attend any UECRB hearing; the prisoner's access to any written decisions, determinations, or rulings by the UECRB; the use of or access to interpreters at any UECRB hearing and access to translations of any written evidence or written decisions, determinations, or rulings of the UECRB; any appeal or higher-level review of UECRB

determinations or the final determinations of the final decision-maker; any annual or periodic review of the prisoners' status after the initial determination is made.

- D. Any written notices provided to prisoners at Bagram regarding the basis for their detention.
  - E. Any transcripts of UECRB proceedings or any other proceeding that occurs during the status determination and review process.
  - F. Any evidence considered in UECRB proceedings or any other proceeding that occurs during the status determination and review process including written statements provided by the detainees and unclassified summaries of the government's evidence.
  - G. Any written decisions, determinations, or rulings issued by the UECRB, the commanding officer, or the final decision-maker.
  - H. Any written decisions, determinations, or rulings issued in the course of any appeal process or in the course of periodic reviews of the initial UECRB determination.
9. All records, including agreements, accords, contracts, correspondence, memoranda, policies, guidelines, or directives between U.S. and Afghan government officials created after September 11, 2001, pertaining to the transfer of Afghan prisoners detained at Bagram to Afghan facilities or Afghan custody; and the release of Afghan prisoners to the Afghan government, into Afghan reconciliation programs, or back into Afghan society.
10. All records created after September 11, 2001, pertaining to the treatment of and conditions of confinement for prisoners detained at Bagram, including but not limited to memoranda, correspondence, procedures, policies, directives, guidance, or guidelines, investigatory records, disciplinary records, medical records, and autopsy reports.<sup>2</sup>

## **II. Application for Expedited Processing**

We request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E); 22 C.F.R. § 171.12(b); 28 C.F.R. § 16.5(d); 32 C.F.R. § 286.4(d)(3); and 32 C.F.R. § 1900.34(c). There is a "compelling need"

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<sup>2</sup> To the extent that records responsive to this Request have already been processed in response to ACLU FOIA requests submitted on October 7, 2003 and May, 25, 2004, the ACLU is not seeking those records here.

for these records because the information requested is urgently needed by an organization primarily engaged in disseminating information in order to inform the public about actual or alleged Federal government activity. 5 U.S.C. § 552(a)(6)(E)(v); *see also* 22 C.F.R. § 171.12(b)(2); 28 C.F.R. § 16.5(d)(1)(ii); 32 C.F.R. § 286.4(d)(3)(ii); 32 C.F.R. § 1900.34(c)(2). In addition, the records sought relate to a “breaking news story of general public interest.” 22 C.F.R. § 171.12(b)(2)(i); 32 C.F.R. § 286.4(d)(3)(ii)(A); *see also* 28 C.F.R. § 16.5(d)(1)(iv) (providing for expedited processing in relation to a “matter of widespread and exceptional media interest in which there exist possible questions about the government’s integrity which affect public confidence”).

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The ACLU is “primarily engaged in disseminating information” within the meaning of the statute and regulations. 5 U.S.C. § 552(a)(6)(E)(v)(II); 22 C.F.R. § 171.12(b)(2); 28 C.F.R. § 16.5(d)(1)(ii); 32 C.F.R. § 286.4(d)(3)(ii); 32 C.F.R. § 1900.34(c)(2). Dissemination of information to the public is a critical and substantial component of the ACLU’s mission and work. *See ACLU v. Dep’t of Justice*, 321 F. Supp. 2d 24, 30 n.5 (D.D.C. 2004) (finding non-profit public interest group that “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience” to be “primarily engaged in disseminating information” (internal citation omitted)). Specifically, the ACLU publishes newsletters, news briefings, right-to-know documents, and other educational and informational materials that are broadly circulated to the public. Such material is widely available to everyone, including individuals, tax-exempt organizations, not-for-profit groups, law students and faculty, for no cost or for a nominal fee. The ACLU also disseminates information through its heavily visited website, [www.aclu.org](http://www.aclu.org). The website addresses civil rights and civil liberties issues in depth, provides features on civil rights and civil liberties issues in the news, and contains many thousands of documents relating to the issues on which the ACLU is focused.

The ACLU website specifically includes features on information obtained through the FOIA. *See, e.g.,* [www.aclu.org/torturefoia](http://www.aclu.org/torturefoia); <http://www.aclu.org/olcmemos/>; <http://www.aclu.org/safefree/torture/csrtfoia.html>; <http://www.aclu.org/natsec/foia/search.html>; <http://www.aclu.org/safefree/nsaspying/30022res20060207.html>; [www.aclu.org/patriotfoia](http://www.aclu.org/patriotfoia); [www.aclu.org/spyfiles](http://www.aclu.org/spyfiles); <http://www.aclu.org/safefree/nationalsecurityletters/32140res20071011.html>; [www.aclu.org/exclusion](http://www.aclu.org/exclusion). For example, the ACLU’s “Torture FOIA” webpage, [www.aclu.org/torturefoia](http://www.aclu.org/torturefoia), contains commentary about the ACLU’s FOIA request, press releases, analysis of the FOIA documents, an advanced search engine permitting webpage visitors to search the



documents obtained through the FOIA, and advises that the ACLU in collaboration with Columbia University Press has published a book about the documents obtained through the FOIA. Jameel Jaffer & Amrit Singh, *Administration of Torture: A Documentary Record from Washington to Abu Ghraib and Beyond* (Columbia Univ. Press 2007). The ACLU also publishes an electronic newsletter, which is distributed to subscribers by e-mail. Finally, the ACLU has produced an in-depth television series on civil liberties, which has included analysis and explanation of information the ACLU has obtained through the FOIA. The ACLU plans to analyze, and disseminate to the public the information gathered through this Request. The records requested are not sought for commercial use and the Requesters plan to disseminate the information disclosed as a result of this Request to the public at no cost.<sup>3</sup>

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Furthermore, the records sought directly relate to a breaking news story of general public interest that concerns actual or alleged Federal government activity; specifically, the records sought relate the U.S. government's detention and treatment of suspected terrorists and alleged "enemy combatants" at Bagram, as well as their transfer or rendition to Bagram from other countries. The records sought also relate to the process the U.S. government affords Bagram prisoners to challenge the basis for their detention and designation as "enemy combatants" including whether that process is meaningful, and whether it departs in any way from the process typically required by the Geneva Conventions and Army Regulation 190-8. *See* 22 C.F.R. 171.12(b)(2)(i); 32 C.F.R. § 286.4(d)(3)(ii)(A); 28 C.F.R. § 16.5(d)(1)(ii); 32 C.F.R. § 1900.34(c)(2). For the same reasons, the records sought also relate to a "matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." 28 C.F.R. § 16.5(d)(1)(iv).

A recent court ruling that some prisoners at Bagram can challenge their detention in U.S. courts has sparked widespread media interest in and public concern about the U.S. government's practices at Bagram. *See, e.g.,* Andy Worthington, *Justice Extends to Bagram, Guantanamo's Dark Mirror*, Counterpunch.org, Apr. 6, 2009; Charlie Savage, *Judge Rules Some Prisoners at Bagram Have Right of Habeas Corpus*, N.Y. Times, Apr. 3, 2009; David G. Savage, *Some Prisoners at Bagram Air Base Can Challenge Detentions, Judge Rules*, L.A. Times, Apr. 3, 2009; Nina Totenberg, *Ruling: Afghan Detainees Granted Habeas Corpus*, Nat'l Pub.

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<sup>3</sup> In addition to the national ACLU offices, there are 53 ACLU affiliate and national chapter offices located throughout the United States and Puerto Rico. These offices further disseminate ACLU material to local residents, schools, and organizations through a variety of means, including their own websites, publications, and newsletters. Further, the ACLU makes archived material available at the American Civil Liberties Union Archives at Princeton University Library.

Radio, Apr. 3, 2009; Daphne Eviatar, *Judge Rules Bagram Detainees Can Appeal to U.S. Courts*, Wash. Independent, Apr. 3, 2009; Kim Landers, *Terrorism Suspects 'Can Challenge Afghan Detention'*, ABCNews.com, Apr. 3, 2009; William Fisher, *U.S. Judge Gives Bagram Prisoners Right to Appeal*, Inter Press Service, Apr. 3, 2009; Bill Mears, *Terror Suspects in Afghanistan Can Sue in U.S. Courts, Judge Rules*, CNN.com, Apr. 2, 2009; Ari Shapiro, *Terror Suspects to Gain Access to U.S. Courts*, Nat'l Pub. Radio, Apr. 2, 2009; Warren Richey, *Terror Suspects Held in Afghanistan May Challenge Their Detention*, Christian Sci. Monitor, Apr. 3, 2009; *Judge: 3 Can Challenge Detention at Bagram*, United Press Int'l, Apr. 2, 2009; James Vicini, *Judge Rules Afghan Detainees Can Sue in U.S. Court*, Reuters, Apr. 2, 2009; Daphne Eviatar, *Bagram Ruling Portends More Challenges to Obama Detention Policy in Afghanistan*, Wash. Independent, Apr. 2, 2009; *Inmates at Afghan Prison Can Challenge Detention*, AFP, Apr. 2, 2009; Nedra Pickler, *Judge: Bagram Prisoners Can Challenge Detention*, Assoc. Press, Apr. 2, 2009; Josh Gerstein, *Judge OKs Suits by Some Held by U.S. in Afghanistan*, Politico.com, Apr. 2, 2009; Marc Ambinder, *Judge: The Great Writ May Apply at Bagram*, TheAtlantic.com, Apr. 2, 2009; Lyle Denniston, *Major Extension of Boumediene*, Scotusblog.com, Apr. 2, 2009.

Public interest in Bagram has also recently intensified significantly due to speculation about what the Obama administration will do with the hundreds of people imprisoned there and whether it will craft new policies to govern Bagram detentions. See, e.g., Michael Scherer, *Civil Liberties Advocates Dismayed at Obama's Recent Moves*, Time, Apr. 21, 2009; Josh Gerstein, *Legal Left Cools Toward Obama*, Politico.com, Apr. 14, 2009; Glenn Greenwald, *An Emerging Progressive Consensus on Obama's Executive Power and Secrecy Abuses*, Salon.com, Apr. 13, 2009; *The Rachel Maddow Show* (MSNBC television broadcast Apr. 13, 2009) (transcript available at <http://www.msnbc.msn.com/id/30210708/>); Glenn Greenwald, *Obama and Habeas Corpus – Then and Now*, Salon.com, Apr. 11, 2009; Stuart Taylor Jr., *A Judicial Decision That Plagues Obama*, Nat'l Journal, Apr. 11, 2009; Del Quentin Wilber, *A Plea to Obama from Father of Detainee*, Wash. Post, Apr. 9, 2009; Bruce Fein, *Czar Obama: The President's Incredibly Imperialist Wielding of Executive Power*, Slate.com, Apr. 9, 2009; Andy Worthington, *Justice Extends to Bagram, Guantanamo's Dark Mirror*, Counterpunch.org, Apr. 6, 2009; Charlie Savage, *Judge Rules Some Prisoners at Bagram Have Right of Habeas Corpus*, N.Y. Times, Apr. 3, 2009; David G. Savage, *Some Prisoners at Bagram Air Base Can Challenge Detentions, Judge Rules*, L.A. Times, Apr. 3, 2009; Bill Mears, *Terror Suspects in Afghanistan Can Sue in U.S. Courts, Judge Rules*, CNN.com, Apr. 2, 2009; Daphne Eviatar, *Bagram Ruling Portends More Challenges to Obama Detention Policy in Afghanistan*, Wash. Independent, Apr. 2, 2009; see also William Fisher, *U.S. Judge Gives Bagram Prisoners Right to Appeal*, Inter Press Service,

Apr. 3, 2009 (“Some critics of Obama administration detention policy have begun calling Bagram ‘Obama’s GITMO,’ charging that the new president is shipping detainees to the Afghan prison to evade the Supreme Court’s ruling giving habeas corpus rights to prisoners at Guantanamo.”).

In the past few weeks, numerous editorial boards have called for change on Bagram policy. See Editorial, *The Next Guantanamo*, N.Y. Times, Apr. 13, 2009; Editorial, *Obama Should Define Rights of Suspected Terrorists Held by U.S. Abroad*, L.A. Times, Apr. 9, 2009; Editorial, *The Constitution’s Reach*, Wash. Post, Apr. 7, 2009; see also Marie Cocco, *The Father of Guantanamo*, Truthdig.com, Apr. 8, 2009; Editorial, *A Reckoning at Bagram*, Wash. Post, Mar. 7, 2009; Editorial, *Overreach at Bagram*, Wash. Post, Jan. 7, 2009. Some editorial boards have criticized Judge Bates’ ruling. See, e.g., Editorial, *Off Base on Terror*, N.Y. Daily News, Apr. 4, 2009; Editorial, *Imperial Judiciary Goes Global*, Nat’l Review, Apr. 3, 2009.

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The Obama administration’s recent decision to quickly appeal the Bagram ruling sparked another round of intense media coverage. See, e.g., Daphne Eviatar, *Obama Bungles Bagram*, Wash. Independent, Apr. 13, 2009; Josh Gerstein, *DOJ: Courts Could Harm Afghan Effort*, Politico.com, Apr. 12, 2009; R. Jeffrey Smith, *Obama Follows Bush Policy on Detainee Access to Courts*, Wash. Post, Apr. 11, 2009; *Obama Sticks to Bush Detainee Policy*, United Press Int’l, Apr. 11, 2009; Marc Ambinder, *Obama Appeals Bagram Detainee Ruling*, TheAtlantic.com, Apr. 11, 2009; Glenn Greenwald, *Obama and Habeas Corpus – Then and Now*, Salon.com, Apr. 11, 2009; Lyle Denniston, *U.S. Resists Rights at Bagram*, Scotusblog.com, Apr. 11, 2009; *Obama to Appeal Detainee Ruling*, N.Y. Times, Apr. 10, 2009. Public speculation about whether the Obama administration will alter Bagram policy continues despite the decision to appeal the Bagram ruling. See, e.g., R. Jeffrey Smith, *Obama Follows Bush Policy on Detainee Access to Courts*, Wash. Post, Apr. 11, 2009 (“officials said that [appeal] did not foreclose a change of heart after the completion in July of a comprehensive review of detainee policy”); Lyle Denniston, *U.S. Resists Rights at Bagram*, Scotusblog.com, Apr. 11, 2009 (“The future of Bagram detainees is one of the issues now being reviewed by a task force studying detainee policy worldwide.”).

Indeed, the U.S. government’s Bagram detention facility has been the focus of widespread and consistent media attention and public concern for many years. See, e.g., Charlie Savage, *Obama Upholds Detainee Policy in Afghanistan*, N.Y. Times, Feb. 21, 2009; Eric Schmitt, *Afghan Prison Poses Problem in Overhaul of Detainee Policy*, N.Y. Times, Jan. 26, 2009; Dan Efron, *The Gitmo Dilemma – Four Reasons Obama Won’t Close the Controversial Prison Soon*, Newsweek, Nov. 7, 2008; *How Bagram Destroyed Me*, BBC News, Sept. 25, 2008; Fisnik Abrashi, *U.S.*

*Allows First Family Visits to Afghan Prison*, Assoc. Press, Sept. 23, 2008; Suzanne Goldenberg and Saeed Shah, *Mystery of 'Ghost of Bagram' - Victim of Torture or Captured in a Shootout?*, The Guardian, Aug. 6, 2008; Eric Schmitt, *Pakistani Suspected of Qaeda Ties Is Held*, N.Y. Times, Aug. 5, 2008; Del Quentin Wilber, *In Courts, Afghanistan Air Base May Become Next Guantanamo*, Wash. Post, June 29, 2008; Katie Paul, *The Road From Gitmo: Alternative Ways of Handling Suspects in the War on Terror*, Newsweek, June 27, 2008; Eric Schmitt and Tim Golden, *U.S. Planning Big New Prison in Afghanistan*, N.Y. Times, May 17, 2008; Fisnik Abrashi, *Red Cross Faults Afghan Prison*, Assoc. Press, Apr. 15, 2008; Carlotta Gall, *Video Link Plucks Afghan Detainees From Black Hole of Isolation*, N.Y. Times, Apr. 13, 2008; Candance Rondeaux, Josh White, and Julie Tate, *Afghan Detainees Sent Home to Face Closed-Door Trials*, Wash. Post, Apr. 13, 2008; Tim Golden and David Rohde, *Afghans Hold Secret Trials for Men That U.S. Detained*, N.Y. Times, Apr. 10, 2008; Ian Austin, *Canadian TV Network Seeks Release of Afghan*, N.Y. Times, Feb. 21, 2008; William Fisher, *Afghan Prison Looks Like Another Guantanamo*, Inter Press Service, Jan. 14, 2008; Andrew Gumbel, *Bagram Detention Center Now Twice the Size of Guantanamo*, The Independent, Jan. 8, 2008; Tim Golden, *Foiling U.S. Plan, Prison Expands in Afghanistan*, N.Y. Times, Jan. 7, 2008; *U.S. Expands Afghan Base at Bagram*, Assoc. Press, Oct. 6, 2007; Richard Leiby, *Down a Dark Road*, Wash. Post, Apr. 27, 2007; Matthew Pennington, *Inmates Detail U.S. Prison Near Kabul*, Assoc. Press, Oct. 2, 2006; Eliza Griswold, *American Gulag: Prisoners' Tales from the War on Terror*, Harpers, Sept. 1, 2006; Carlotta Gall and Ruhullah Khapalwak, *Some Afghans Freed from Bagram Cite Harsh Conditions*, N.Y. Times, June 8, 2006; William Fisher, *Bagram - 'Son of Guantanamo'*, Inter Press Service, Feb. 28, 2006; Tim Golden and Eric Schmitt, *A Growing Afghan Prison Rivals Bleak Guantanamo*, N.Y. Times, Feb. 26, 2006; Tim Golden, *Years After 2 Afghans Died, Abuse Case Falter*, N.Y. Times, Feb. 13, 2006; Tim Golden, *Case Dropped Against U.S. Officer in Beating Deaths of Afghan Inmates*, N.Y. Times, Jan. 8, 2006; Tim Golden, *Abuse Cases Open Command Issues at Army Prison*, N.Y. Times, Aug. 8, 2005; Tim Golden, *In U.S. Report, Brutal Details of 2 Afghan Inmates' Deaths*, N.Y. Times, May 20, 2005; Emily Bazelon, *From Bagram to Abu Ghraib*, Mother Jones, March/April 2005; Stephanie Hanes, *Two Groups Detail Abuse of Afghan Prisoners*, Baltimore Sun, May 5, 2004; Pamela Constable, *An Afghan boy's Life in U.S. Custody: Camp in Cuba Was Welcome Change After Harsh Regime at Bagram*, Wash. Post, Feb. 12, 2004.

More generally, questions regarding the legal process afforded suspected terrorists and alleged "enemy combatants" held in U.S. custody has been the subject of continuous and sustained public interest. See, e.g., Jackie Northam, *Tapes Provide First Glimpse of Secret Gitmo Panels*, Nat'l Pub. Radio, Apr. 10, 2009 (reporting on the release of taped

recordings of the “combatant status review tribunals” of six detainees); Andy Worthington, *Bad News, Good News for the Guantanamo Uighurs*, Huffington Post, Feb. 19, 2009; Jane Perlez, Raymond Bonner and Salman Masood, *An Ex-Detainee of the U.S. Describes a 6-Year Ordeal*, N.Y. Times, Jan. 5, 2009; Jeffrey Toobin, *Camp Justice*, The New Yorker, Apr. 14, 2008; Scott Horton, *Military Lawyers and the Gitmo Commissions*, Harpers, Oct. 30, 2007; *Army Officer: Guantanamo Hearings are Flawed*, MSNBC.com, Aug. 6, 2007; Andrew C. McCarthy, *The Profession v. Gitmo*, Nat’l Review, June 25, 2007; Jeffrey Toobin, *Killing Habeas Corpus*, The New Yorker, Dec. 4, 2006; Daniel Eisenberg and Timothy J. Burger, *What’s Going On at Gitmo?*, Time, May 29, 2005; Carol D. Leonnig, *Judge Rules Detainee Tribunals Illegal*, Wash. Post, Feb. 1, 2005. In particular, the Supreme Court’s June 2008 ruling that Guantanamo Bay detainees had a constitutional right to *habeas* was the subject of significant public attention and media interest. See, e.g., Kevin Drum, *Boumediene v. Bush*, CBS News, June 22, 2008; Robyn E. Blumner, *Supreme Court Preserves a Razor-Thin Redemption*, St. Petersburg Times, June 22, 2008; Richard Epstein, *How To Complicate Habeas Corpus*, N.Y. Times, June 21, 2008; Jack Balkin, *Two Takes: With ‘Boumediene,’ the Court Reaffirmed a Basic Principle*, U.S. News & World Report, June 19, 2008; David Stout, *Justices Rule Terror Suspects Can Appeal in Civilian Courts*, N.Y. Times, June 13, 2008; Linda Greenhouse, *Justices, 5-4, Back Detainee Appeals for Guantánamo*, N.Y. Times, June 13, 2008. Furthermore, the military commission proceedings held at Guantanamo in 2008 also generated substantial public interest. See William Glaberson, *Panel Convicts Bin Laden Driver in Split Verdict*, N.Y. Times, Aug. 7, 2008; Editorial, *A Mixed Verdict on Hamdan*, L.A. Times, Aug. 7, 2008; Scott Shane and William Glaberson, *Judge Clears Way for Trial of Bin Laden’s Driver*, N.Y. Times, July 17, 2008; Joanne Mariner, *Arresting the 9/11 Suspects, Guantánamo-Style*, Salon.com, June 7, 2008; Jackie Northam, *Sept. 11 Suspects Arraigned at Guantanamo Bay*, Nat’l Pub. Radio, June 6, 2008; Adam Zagorin, *U.S. Justice on Trial at Gitmo*, Time, June 4, 2008; *Gitmo’s Courtroom Wrangling Begins*, Time, Apr. 25, 2008.

More broadly, there has been continued public interest in the treatment of suspected terrorists detained by the United States ever since allegations of abuse and mistreatment first surfaced in December 2002. Dana Priest & Barton Gellman, *U.S. Decries Abuse but Defends Interrogations*, Wash. Post, Dec. 26, 2002; see also Emily Bourke, *Red Cross Finds Doctors Present During CIA Torture*, ABC News, Apr. 8, 2009; Scott Shane, *Report Outlines Medical Workers’ Role in Torture*, N.Y. Times, Apr. 6, 2009; *Guantanamo Guard Admits Prisoner Abuse, ACLU Demands ‘Top to Bottom’ Review*, FoxNews.com, Dec. 18, 2008; *Detainee Abuse Linked to Bush Administration*, Assoc. Press, Dec. 12, 2008; *What FBI Agents Saw During U.S. Interrogations*, Int’l Herald

Tribune, May 22, 2008; Carrie Johnson & Josh White, *Audit Finds FBI Reports of Detainee Abuse Ignored*, Wash. Post, May 21, 2008; Scott Shane, David Johnston and James Risen, *Secret U.S. Endorsement of Severe Interrogations*, N.Y. Times, Oct. 4, 2007; Jane Mayer, *The Black Sites*, The New Yorker, Aug. 13, 2007; Dana Priest, *Detainees Accuse Female Interrogators; Pentagon Inquiry Is Said to Confirm Muslims' Accounts of Sexual Tactics at Guantanamo*, Wash. Post, Feb. 10, 2005; R. Jeffrey Smith and Dan Eggen, *New Papers Suggest Detainee Abuse Was Widespread*, Wash. Post, Dec. 22, 2004; Neil Lewis, *Red Cross Finds Detainee Abuse in Guantánamo*, N.Y. Times, Nov. 30, 2004; Neil Lewis, *Broad Use of Harsh Tactics is Described at Cuba Base*, N.Y. Times, Oct. 17, 2004; Dana Priest, *CIA Puts Harsh Tactics on Hold; Memo on Methods of Interrogation Had Wide Review*, Wash. Post, Jun. 27, 2004; Dana Priest and Bradley Graham, *Guantanamo List Details Approved Interrogation Methods*, Wash. Post, June 10, 2004; Dana Priest and Joe Stephens, *Pentagon Approved Tougher Interrogations*, Wash. Post, May 9, 2004.

The release of documents concerning the treatment of suspected terrorists detained by the U.S. has generated significant public interest and media attention. See, e.g., Brian Knowlton, *Report Gives New Detail on Approval of Brutal Techniques*, N.Y. Times, Apr. 22, 2009; Joby Warrick and Peter Finn, *Harsh Tactics Readied Before Their Approval: Senate Report Describes Secret Memos*, Wash. Post, Apr. 22, 2009; Jonathan S. Landay, *Report Says Abusive Tactics Used to Link Iraq to Al Qaeda*, Miami Herald, Apr. 22, 2009; Jess Bravin, *Interrogation Views Spread with Help of Bush Aides*, Wall St. J., Apr. 22, 2009; Julian E. Barnes, *Military Helped With CIA Interrogation Tactics, Report Says*, L.A. Times, Apr. 22, 2009; Robert Baer, *Why Obama Needs to Reveal Even More on Torture*, Time.com, Apr. 20, 2009; Dan Froomkin, *How Many Others Were Tortured?*, Wash. Post, Apr. 7, 2009; Scott Shane, *Report Outlines Medical Workers' Role in Torture*, N.Y. Times, Apr. 6, 2009; Joby Warwick and Julie Tate, *Report Calls CIA Detainee Treatment 'Inhuman'*, Wash. Post, Apr. 6, 2009; Editorial, *The Tortured Memos*, N.Y. Times, Mar. 4, 2009; Devlin Barrett, *Officials: CIA Destroyed 92 Detainee Tapes*, Chicago Tribune, Mar. 3, 2009; David Johnston & Scott Shane, *Memo Sheds New Light on Torture Issue*, N.Y. Times, Apr. 3, 2008; White House *Denies Torture Assertion*, USA Today, Oct. 4, 2007; Jane Mayer, *The Memo*, The New Yorker, Feb. 27, 2006; Dana Priest, *Memo Lets CIA Take Detainees Out of Iraq; Practice is Called Serious Breach of Geneva Conventions*, Wash. Post, Oct. 24, 2004; Dana Priest and Bradley Graham, *U.S. Struggled Over How Far to Push Tactics*, Wash. Post, June 24, 2004; Dana Priest and R. Jeffrey Smith, *Memo Offered Justification for Use of Torture; Justice Dept. Gave Advice in 2002*, Wash. Post, June 8, 2004.

Indeed, the release of documents pursuant to the ACLU's past requests for records relating to the treatment of suspected terrorists in U.S. custody has been the subject of substantial and continuing public interest. To date, the ACLU has received over 100,000 pages of documents in response to its October 2003 request for such records, generating widespread attention from the public and the media. *See, e.g.*, Mark Mazzetti and Scott Shane, *In Adopting Harsh Tactics, No Inquiry Into Their Past Use*, N.Y. Times, Apr. 22, 2009; Ben Feller, *Obama Open to Torture Memos Probe, Prosecution*, Wash. Post, Apr. 22, 2009; Sheryl Gay Stolberg, *Obama Won't Bar Inquiry, Or Penalty, On Interrogators*, N.Y. Times, Apr. 22, 2009; Michael Sniffen, *3 Lawyers Face Scrutiny for Torture Advice*, Wash. Post, Apr. 22, 2009; Peter Baker and Scott Shane, *Pressure Grows to Investigate Interrogations*, N.Y. Times, Apr. 21, 2009; *In CIA Visit, Obama Defends Interrogation Memo Release*, CNN.com, Apr. 20, 2009; *Sept. 11 Planner Waterboarded 183 Times*, Reuters, Apr. 20, 2009; Michael Scherer and Bobby Ghosh, *How Waterboarding Got Out of Control*, Time.com, Apr. 20, 2009; *Memo: Two al Qaeda Leaders Waterboarded 266 Times*, CNN.com, Apr. 20, 2009; Scott Shane, *2 Suspects Waterboarded 266 Times*, N.Y. Times, Apr. 20, 2009; Joshua Brustein, *Former C.I.A. Director Defends Interrogation*, N.Y. Times, Apr. 19, 2009; R. Jeffrey Smith, *Justice Dept. Memos' Careful Legalese Obscured Harsh Reality*, Apr. 19, 2009; Editorial, *The Torturers' Manifesto*, N.Y. Times, Apr. 18, 2009; John Hendren, *Ex-CIA Official: 'This Was Torture'*, ABC News, Apr. 18, 2009; Greg Miller, *Did Waterboarding Work?*, Chicago Tribune, Apr. 18, 2009; Dana Priest, *White House Releases Torture Memos, Won't Pursue Prosecutions*, Wash. Post, Apr. 17, 2009; Editorial, *Dealing With a Disgrace*, Wash. Post, Apr. 17, 2009; Editorial, *Close the Torture Loophole*, L.A. Times, Apr. 17, 2009; Mark Mazzetti, *C.I.A. Memos Could Bring More Disclosures*, N.Y. Times, Apr. 17, 2009; Greg Miller and Josh Meyer, *Memos Reveal Harsh CIA Interrogation Methods*, L.A. Times, Apr. 17, 2009; Matt Apuzzo, *Memos Describe CIA's Harsh Interrogation Program*, Assoc. Press, Apr. 17, 2009; Carrie Johnson and Julie Tate, *New Interrogation Details Emerge*, Wash. Post, Apr. 17, 2009; Justin Vogt, *Zubaydah's Sanity, Bybee's Clarity*, New Yorker, Apr. 17, 2009; Glenn Greenwald, *The Significance of Obama's Decision to Release the Torture Memos*, Salon.com, Apr. 17, 2009; Mark Mazzetti and Scott Shane, *Interrogation Memos Detail Harsh Tactics by the C.I.A.*, N.Y. Times, Apr. 16, 2009; Ariane de Vogue, *DOJ Releases Controversial Torture Memos*, ABC News.com, Apr. 16, 2009; Michael Scherer, *Bush Approved Use of Insects*, Time.com, Apr. 16, 2009; Mark Mazzetti, *Obama Releases Interrogation Memos, Says CIA Operatives Won't Be Prosecuted*, N.Y. Times, Apr. 16, 2009; Terry Frieden, *More Delays in Release of 'Torture' Documents*, CNN.com, Apr. 2, 2009; Scott Shane, *Administration is Debating Release of Interrogation Memos*, N.Y. Times, Mar. 31, 2009; *New York Judge Orders Release of CIA 'Torture' Documents*,

FoxNews.com, Mar. 28, 2009; Scott Shane, *Documents Laid Out Interrogation Procedures*, N.Y. Times, July 25, 2008; Mark Mazzetti, '03 *U.S. Memo Approved Harsh Interrogations*, N.Y. Times, Apr. 2, 2008; Dan Eggen and Josh White, *Memo: Laws Didn't Apply to Interrogators*, Wash. Post, Apr. 2, 2008; Evan Perez, *U.S. 2003 Memo Allowed 'Enhanced' Interrogation*, Wall St. J., Apr. 2, 2008; Lara Jakes Jordan, *Pentagon Releases Memo on Harsh Tactics*, FoxNews.com, Apr. 1, 2008; *FBI Records: Detainees Allege Quran Abuse; ACLU Releases Hundreds of Documents Obtained in a Lawsuit*, CNN.com, May 26, 2005; *Harsh Tactics Were Allowed, General Told Jailers in Iraq*, N.Y. Times, Mar. 30, 2005; *U.S. Memo Shows Iraq Jail Methods*, BBC News, Mar. 30, 2005; Neil Lewis & Douglas Jehl, *Files Show New Abuse Cases in Afghan and Iraqi Prisons*, N.Y. Times, Feb. 18, 2005; Nat Hentoff, *What Did Rumsfeld Know? ACLU Releases Documents of U.S. Torture of Detainees by More than 'A Few Bad Apples'*, Village Voice, Dec. 28, 2004; Thomas Ricks, *Detainee Abuse by Marines is Detailed*, Wash. Post, Dec. 15, 2004; Paisley Dodds, *Unsealed Navy Documents Show More Prisoner Abuse*, Phila. Enquirer, Dec. 15, 2004; Richard A. Serrano, *Marines Burned, Shocked Prisoners, Documents Revealed*, Seattle Times, Dec. 15, 2004; *ACLU: Records Show Marines Tortured Iraqi Prisoners*, CNN.com, Dec. 15, 2004.

In addition, the records that the ACLU seeks include records relating to the "rendition" of suspected terrorists from their place of capture outside of Afghanistan to detention at Bagram Air Base. Rendition is an issue that is independently the subject of extensive public and media attention. See, e.g., Ariel David, *Italian Court Deals Prosecution a Blow in CIA Rendition Case*, San Jose Mercury News, Mar. 12, 2009; Julie Sell, *U.N. Report Says U.S. Led 'Black Site' Renditions in War on Terrorism*, Miami Herald, Mar. 11, 2009; Kevin Sullivan, *Former Guantanamo Prisoner Alleges Torture*, Wash. Post, Mar. 8, 2009; Paisley Dodds, *British Official Acknowledges Rendition Role*, Chicago Tribune, Feb. 27, 2009; Desmond Butler, *Alleged CIA Torture Victim Speaks Out*, FoxNews.com, Nov. 29, 2006; Jane Mayer, *The CIA's Travel Agent*, The New Yorker, Oct. 30, 2006; Jerry Markon, *Lawsuit Against CIA is Dismissed; Mistaken Identity Led to Detention*, Wash. Post, May 19, 2006; Scott Shane, *German Sues Over Abduction Said to Be at Hands of CIA*, N.Y. Times, Dec. 6, 2005; *German Claims Torture in Suing CIA's Ex-Director*, USA Today, Dec. 6, 2005; *Lawsuit Claims CIA Kidnapped, Tortured German Man*, CNN.com, Dec. 6, 2005; Dana Priest, *Wrongful Imprisonment: Anatomy of a CIA Mistake; German Citizen Released After Months in 'Rendition'*, Wash. Post, Dec. 4, 2005; Dana Priest, *CIA Holds Terror Suspects in Secret Prisons; Debate Is Growing Within Agency About Legality and Morality of Overseas System Set Up After 9/11*, Wash. Post, Nov. 2, 2005; Scott Shane, *The Costs of Outsourcing Interrogation: A Canadian Muslim's Long Ordeal in Syria*, N.Y. Times, May 29, 2005;



Michael Hirsh, Mark Hosenball and John Barry, *Aboard Air CIA*, Newsweek, Feb. 28, 2005; Jane Mayer, *Outsourcing Torture*, The New Yorker, Feb. 14, 2005; DeNeen L. Brown and Dana Priest, *Deported Terror Suspect Details Torture in Syria; Canadian's Case Called "Typical" of CIA*, Wash. Post, Nov. 5, 2003.

### III. Application for Waiver or Limitation of Fees

We request a waiver of search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest because it "is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii); 22 C.F.R. § 171.17(a); *see also* 28 C.F.R. § 16.11(k)(1); 32 C.F.R. § 286.28(d); 32 C.F.R. § 1900.13(b)(2).

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As discussed above, numerous news accounts reflect the considerable public interest in the records we seek. Given the ongoing and widespread media attention to this issue, the records sought in the instant Request will significantly contribute to public understanding of the operations and activities of the Departments of Defense, Justice, State, and the Central Intelligence Agency with regard to the detention and treatment of prisoners at Bagram. *See* 22 C.F.R. § 171.17(a)(1)(ii); 28 C.F.R. § 16.11(k)(1)(i); 32 C.F.R. § 286.28(d); 32 C.F.R. § 1900.13(b)(2)(ii). Moreover, disclosure is not in the ACLU's commercial interest. Any information disclosed by the ACLU as a result of this Request will be available to the public at no cost. Thus, a fee waiver would fulfill Congress's legislative intent in amending FOIA. *See Judicial Watch Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be 'liberally construed in favor of waivers for noncommercial requesters.'" (citation omitted)); OPEN Government Act of 2007, Pub. L. No. 110-175, 121 Stat. 2524, § 2 (Dec. 31, 2007) (finding that "disclosure, not secrecy, is the dominant objective of the Act," but that "in practice, the Freedom of Information Act has not always lived up to the ideals of that Act").

We also request a waiver of search and review fees on the grounds that the ACLU qualifies as a "representative of the news media" and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii); 28 C.F.R. § 16.11(d). Accordingly, fees associated with the processing of the Request should be "limited to reasonable standard charges for document duplication." 5 U.S.C. § 552(a)(4)(A)(ii)(II); *see also* 32 C.F.R. § 286.28(e)(7); 28 C.F.R. § 16.11(d) (search and review fees shall not be charged to "representatives of the news media").

The ACLU meets the statutory and regulatory definitions of a “representative of the news media” because it is an “entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” 5 U.S.C. § 552(a)(4)(A)(ii)(III); *see also Nat’l Sec. Archive v. Dep’t of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989); *cf. ACLU v. Dep’t of Justice*, 321 F. Supp. 2d at 30 n.5 (finding non-profit public interest group to be “primarily engaged in disseminating information”). The ACLU is a “representative of the news media” for the same reasons it is “primarily engaged in the dissemination of information.” *See Elec. Privacy Info. Ctr. v. Dep’t of Def.*, 241 F. Supp. 2d 5, 10-15 (D.D.C. 2003) (finding non-profit public interest group that disseminated an electronic newsletter and published books was a “representative of the news media” for purposes of FOIA); *see supra*, section II.<sup>4</sup>

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Pursuant to applicable statute and regulations, we expect a determination regarding expedited processing within 10 calendar days. *See* 5 U.S.C. § 552(a)(6)(E)(ii)(I); 22 C.F.R. § 171.12(b); 28 C.F.R. § 16.5(d)(4); 32 C.F.R. § 286.4(d)(3); 32 C.F.R. § 1900.21(d).

If the Request is denied in whole or in part, we ask that you justify all deletions by reference to specific exemptions to FOIA. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

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<sup>4</sup> On account of these factors, fees associated with responding to FOIA requests are regularly waived for the ACLU. For example, in March 2009, the State Department granted a fee waiver to the ACLU with regard to a FOIA request submitted in December 2008. The Department of Justice granted a fee waiver to the ACLU with regard to the same FOIA request. In November 2006, the Department of Health and Human Services granted a fee waiver to the ACLU with regard to a FOIA request submitted in November of 2006. In May 2005, the United States Department of Commerce granted a fee waiver to the ACLU with respect to its request for information regarding the radio-frequency identification chips in United States passports. In March 2005, the Department of State granted a fee waiver to the ACLU with regard to a request submitted that month regarding the use of immigration laws to exclude prominent non-citizen scholars and intellectuals from the country because of their political views, statements, or associations. In addition, the Department of Defense did not charge the ACLU fees associated with FOIA requests submitted by the ACLU in April 2007, June 2006, February 2006, and October 2003. The Department of Justice did not charge the ACLU fees associated with FOIA requests submitted by the ACLU in November 2007, December 2005, and December 2004. Three separate agencies—the Federal Bureau of Investigation, the Office of Intelligence Policy and Review, and the Office of Information and Privacy in the Department of Justice—did not charge the ACLU fees associated with a FOIA request submitted by the ACLU in August 2002.

Thank you for your prompt attention to this matter. Please furnish all applicable records to:

Melissa Goodman, Staff Attorney, National Security Project  
American Civil Liberties Union  
125 Broad Street, 18th Floor  
New York, NY 10004

I affirm that the information provided supporting the request for expedited processing is true and correct to the best of my knowledge and belief.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Goodman", written over a horizontal line.

Melissa Goodman  
American Civil Liberties Union Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004  
Tel: (212) 549-2622

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# Exhibit B

ISN	SEQ	Last Name	First Name	Second Name	Third Name	Citizenship	Capture Date	Report Date	Days Detained	Capture Location	Circumstances of Capture
(b)(2)	000459	ZAMAN	GUL			(b)(1)		9/22/2009	(b)(1)		
	000831	KADIR	KHADAN					9/22/2009			
	001001	SHABAZ KHAL	HAFIZULLAH					9/22/2009			
	001207	WAZIR	HAJI PACHA					9/22/2009			
	001209	AL-GHARISI	LUTFI AL-ARABI					9/22/2009			
	001220	KHAN	ARSALA					9/22/2009			
	001282	WALI	SAIFULLAH	ABDUL				9/22/2009			
	001286	ZAFAR	MALANG					9/22/2009			
	001287	ABU BAKR	GULAM RABBANI					9/22/2009			
	001288	QALAM	FNU					9/22/2009			
	001432	DILSHAD	AHMAD					9/22/2009			
	001433	ALI	SALAH	MOHAMMAD				9/22/2009			
	001442	FAROOQ	HAJI GHULAM					9/22/2009			
	001455	FEZZANI	MOEZ BIN ABDUL QADIR					9/22/2009			
	001464	AL BAKRI	MOHAMMED AMIN					9/22/2009			
	001466	NAJJAR	RIDHA AHMAD					9/22/2009			
	001474	KHAN	AMAL					9/22/2009			
	001503	AGHA	NOOR					9/22/2009			
	001658	JAN	ZAHIR					9/22/2009			
	001691	AYOOB	MOHAMMED					9/22/2009			
	001718	JAN	HAFEZULLAH					9/22/2009			
	001815	AHMAD	FADI					9/22/2009			
	001869	HAMIDULLAH	UNK					9/22/2009			
	001877	RAHMAN	ABDUL					9/22/2009			
	001897	KARIM	FAZEL					9/22/2009			
002273	HAMIDULLAH	MOLVIA				9/22/2009					
002284	ZADRAN	ABDUL	BASSET			9/22/2009					
002321	BABARAK	FNU				9/22/2009					
002343	SAMIULLAH	FNU				9/22/2009					

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002369	KHAN	JAMSHIR		
002401	ANWAR	MOHAMMAD		
002421	RAIZ	FNU		
002422	KABIR	ABDUL		
002463	MOHAMMED	DOST		
002505	ALIM	ABDUL		
002521	GULAB	SAYED		
002615	KHAN	SHAM ALI		
002619	SHAFIQ	FNU	MNU	
002633	ENAYATULLAH	FNU		
002634	AGHA	MOHAMMED		
002635	JAN	SHER		
002638	ABDULLAH	MULLAH	MNU	
002650	GUL	SHAD		
002660	GHAFOR	ABDUL		
002667	NABI	HAJI SAID		
002689	YASIN	ZABIT		
002720	NOORI	MOHAMMED	RAHIM	
002724	NOORI	MOHAMMED	YOSEF	
002737	MOHAMMED	LALAY		
002773	WALI	NOOR		
002784	NIYAZ	FNU		
002802	JAN	WALI		
002825	FAROOQ	NFN		
002827	FAROOQ	GULAM		
002842	KERAMAT	FNU		

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003226	JAMILI	GHULAM	SAWAR	
003246	RAZIQ	ABDUL		
003264	MOHAMMED	HAJI		
003273	JAN	SAID	WALI	
003278	BOI	HAJI QAYUM		
003279	HAFIZULLAH	MAULAWI		
003281	KHAN	AKA		
003303	GUL	MOHAMMED		
003305	KHAN	SHADI		
003306	BACHA	NUR		
003308	MUHAMAD	KAHN		
003310	JAN	GUL	MAR	
003314	JAN	MAULAWI	AHMAD	
003316	AKUND	MULLAH ABDUL	MALIK	
003343	GOLOGAI	NFN	NMN	
003345	HANAN	GUL	NMN	
003346	ALAM	NFN	NMN	
003355	ZAMAN	GUL		
003362	IZATULLAH	NFN	NMN	
003363	WALI	HAZRAT	NMN	
003364	QADIM	MULLAH		
003366	MOHAMMED	ALI		
003378	DAUD	QARI SAID		
003393	HOTEQ	HAJJI ABDUL RAHMAN		
003400	RAHMAN	SHER		
003401	QADIR	ABDUL	NMN	
003402	AMIR	HAJI	NMN	
003404	AZIZURAHMAN	MALIK	NMN	

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003408	ALI	GAWHAR	NMN	
003409	SATAR	ABDUL	NMN	
003410	KHAN	AKEEB	NMN	
003417	NLN	ROHULLAH	NMN	
003418	ZAHIR	DAUD	NMN	
003422	ARAB	MAULAWI AHMAD ZAHIR		
003437	KHAN	MOMEN		
003438	TORYALAY	GUL	INAM	
003439	GULZAR	MOHAMMAD	DAUD	
003444	GUL	JUMA		
003445	KHAN	PACHA		
003446	KHAN	NASIMULLAH		
003447	ZAHIR	MOHAMMAD		
003451	KHAL	AMANULLAH		
003452	JAN	SAKHI		
003453	MOHAMMAD	SALEH		
003454	MALIM	ISMAIL		
003463	KHAN	SHAMS		
003464	MOHAMMAD	RAIS		
003466	KHEL	HAJI	ZENI	
003468	SHABIR	MULLAH		
003469	MOHAMMAD	KHAN	NMN	
003470	ANAN	ABDUL	NMN	
003474	TORAKAY	NFN	NMN	
003479	ARIF	QARI	NMN	
003483	JAN	MAK	MALI	

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003484	HUSSEIN	MOHAMMAD			
003485	WALI	QARI	ABDUL		
003486	NAFI	ABDUL			
003494	NLN	HAYATULLAH	NMN		
003496	GUL	KHAN	NMN		
003497	MOHAMMAD	NIK	NMN		
003498	SOUP	SHEIKH YOUSEF	NMN		
003499	NADER	SHASWAR	MOHAMMAD		
003503	GHANAM	MOHAMMAD	NMN		
003505	BADER	SHER			
003509	IZATULLAH	NLN			
003510	KHAN	HAJJ	ABDUL MAJID		
003511	GUL	WALI			
003569	KHAN	MIR		WAIS	
003570	GHAFAR	ABDUL			
003572	LNU	AJAB			
003574	FAROOQ	MUJAHID		NMN	
003575	RAHMAN	MUJIB		NMN	
003576	LNU	MULLAH	ZARBAT		
003577	GUL	HAJJI	LEEWAN	NMN	
003578	JALIL	HAJI	ABDUL		
003580	ZIARAHMAN	MAHAJIR			
003582	JAN	MULLAH TOOR			
003583	AKHUND	MULLAH	HAMAYUN	NMN	
003584	KHAN	QAZI		NMN	
003585	WALI	SADAR			
003586	KHAN	GUL		AMIR	

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003587	NLN	MONTAZ		NMM
003588	LNU	ARIFULLAH		
003590	LNU	MULLA SALIM		MNU
003594	LNU	SAFATULLAH		MNU
003595	LNU	MULLAH DABAZORAY		MNU
003596	KHALID	SHAH		
003600	RAHMAN	SUHABI		
003601	MOHAMMAD	ZHAR		
003603	SAQIB	MOHAMMAD	ISMAEL	
003605	GUL	MOHAMMAD		MNU
003606	JAN	PEERA		MNU
003607	KHAN	AKBAR		MNU
003608	KHAN	SHAH		MNU
003609	UR-RAHMAN	AZIZ	MNU	
003610	LNU	FAROOQ		
003612	SATAR	HAJI	MNU	
003614	KHAN	RAIS		MNU
003615	HAQ	ABDUL	MNU	
003616	MOHAMMAD	AGHA		MNU
003617	JAN	WALI		
003618	LNU	MIR QALIM		
003620	LNU	TARIQ		
003622	YUSEF	MOHAMMAD		
003624	JALAZAI	SIBGHATULLAH		
003625	BASIR	ABDUL		
003626	LNU	RHAMATULLAH		
003629	KHALIQ	ABDUL		
003632	AHMED	RASHID		
003633	JALALZAI	SAMIULLAH		
003634	NASIM	MULVI		
003636	GUL	FAZEL		

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003637	AKRAM	MULLAH	MOHAMMAD
003639	BAGHI	ABDUL	
003641	MAROOF	GUL	
003643	FAIZONI	MULLAH	
003645	SHERZAI	KARIMULLAH	
003646	YOUSEF	QARI	
003647	NABEEB	HAJJI	
003648	SHAH	MOHAMMAD	
003658	LNU	HAMIDULLAH	
003659	LNU	JAMAL	
003660	LNU	SYEDDULLAH	
003661	JAN	RAHIM	
003662	RAHMAN	GUL	
003663	SATTAR	ABDUL	
003664	MALIK	ABDUL	
003665	LNU	YAKOUB	
003666	NOOR	MULLAH	HAKIM
003670	LNU	SADIK	
003672	LNU	HAMZA	
003673	RAHAMATULL	MOHAMMAD	
003674	LNU	ZABIULLAH	
003675	MANSOUR	SAYED	
003676	LNU	MEHRABAN	
003677	LNU	HUSONULLAH	
003678	LNU	SHER	AGAH
003680	BASIR	MULLAH	ABDUL
003681	KHAN	MIRA	
003684	KHAN	NAIM	
003685	NASRATULLAH	FNU	
003686	YAYA	GHULAM	
003687	MOHAMMAD	NAZAR	
003688	AHMAD	GUL	
003690	LNU	OSMAN	
003691	AHMAD	NOOR	

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003698	LNU	SHAKI	MNU		9/22/2009
003701	LNU	NAQIBULLAH			9/22/2009
003704	LNU	FARHAD			9/22/2009
003707	DAUD	MOHAMMAD			9/22/2009
003708	RAHMAN	SAYED			9/22/2009
003709	MOHAMMAD	HAZRAT			9/22/2009
003710	JAN	NAIM			9/22/2009
003711	QADIR	ABDUL			9/22/2009
003712	OSMANI	MOHAMMAD	AMIN		9/22/2009
003713	WARDAK	ASMATTULAH	MERAGAN		9/22/2009
003714	MOHAMMAD	AMIR			9/22/2009
003715	MOHAMMAD	PIR			9/22/2009
003717	KHAN	FATEH			9/22/2009
003718	LNU	HAMIDULLAH			9/22/2009
003719	SULEYMAN	SABIL			9/22/2009
003720	KHAN	MOHAMMAD	NABI		9/22/2009
003721	LNU	AMINULLAH			9/22/2009
003723	DAUD	MOHAMMAD			9/22/2009
003724	ZAMAN	NOOR			9/22/2009
003725	LNU	YUSEF			9/22/2009
003728	QAYUM	ABDUL			9/22/2009
003729	KHAN	NOOR			9/22/2009
003730	JAMSHEED	ABDULLAH			9/22/2009
003733	LNU	ATIQULLAH			9/22/2009
003735	ZAINULLAH	HAFEZ			9/22/2009
003743	MOHAMMAD	MULLAH			9/22/2009
003744	KASHMIR	HAJI			9/22/2009
003747	KHAN	EID	MAR		9/22/2009
003748	LNU	SHAHBODIN			9/22/2009
003749	YILDAZ	NAJIMUDDIN			9/22/2009
003750	GUL	JANAT			9/22/2009
003751	JAN	MIR	SAHIB		9/22/2009
003752	KHODAIDAD	AMIR			9/22/2009
003754	MOHAMMAD	LAL			9/22/2009

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003804	YUSEF	MOHAMMAD		
003805	GUL	DAWAR		
003806	SHIR	AMIN		
003807	SHARIF	MULLAH		
003808	LNU	WAKIL		
003809	LNU	IQBAL		
003810	WALI	MOHAMMAD		
003811	KHAN	RAIS		
003812	LNU	FIADULLAH		
003813	LNU	AMANULLAH		
003814	AMINULLAH	QARI		
003815	SAMAD	ABDUL		
003816	MOHAMMAD	BAKHT		
003817	SHAH	HANIF		
003818	LNU	GULLISTAN		
003819	BADSHAH	GUL		
003820	((LNU))	BISMULLAH		
003821	RAHIM	MOHAMMAD		
003822	JANAN	ABDUL		
003823	LNU	SADULLAH		
003824	LNU	IDRIS		
003825	LNU	KHALILULLAH		
003826	LNU	AHMAD		
003827	((LNU))	SANULLAH		
003828	LNU	MOHIBULLAH		
003829	LNU	BAKHTYAR		
003830	((LNU))	ROHULLAH		
003831	HEIDAR	MULLAH		
003832	EQVAL	JAWID		
003833	LNU	GHAFOOR		
003834	MOHAMMAD	BAKHITEH		
003835	NOOR	RASHID		
003836	((LNU))	BOORHOMADIN		
003837	AHAD	FAZAL		

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003838	LNU	MOHAMMADULLAH			9/22/2009
003839	AZIM	MOHAMMAD			9/22/2009
003840	(LNU)	WALI			9/22/2009
003841	(LNU)	ROHULLAH			9/22/2009
003842	KHAN	MUSA			9/22/2009
003843	MOHAMMAD	ABDUL			9/22/2009
003844	LNU	NAIMULLAH			9/22/2009
003845	AGHA	SHER			9/22/2009
003847	KHEL	BADSHAH			9/22/2009
003848	SHAH	LAEK			9/22/2009
003849	LNU	SADIQULLAH			9/22/2009
003850	SHAH	EZAT			9/22/2009
003851	LNU	RAHIM KHAM			9/22/2009
003852	NASIM	MOHAMMAD			9/22/2009
003853	LNU	KHANULLAH			9/22/2009
003854	HASSAN	QARI ASIL			9/22/2009
003856	LNU	MOHAMMADULLAH			9/22/2009
003857	KHAN	MASOOM			9/22/2009
003859	HALIM	ABDUL			9/22/2009
003860	HANAN	ABDUL			9/22/2009
003861	KHAN	ROZEE			9/22/2009
003862	AZIZ	ABDUL			9/22/2009
003863	NAZIM	MAULAWI			9/22/2009
003865	ZAHAR	HAJI	ABDUL		9/22/2009
003866	LNU	BASIRULLAH			9/22/2009
003867	KHAN	JUMA GUHL			9/22/2009
003868	SALIM	MAULAWI			9/22/2009
003869	AGHA	GUL			9/22/2009
003870	LNU	ZIAUDDIN			9/22/2009
003871	SADIQ	OMAR			9/22/2009
003872	LNU	KAIFAYATULLAH			9/22/2009
003874	LNU	HIATULLAH			9/22/2009
003876	AHMADULLAH	QARI			9/22/2009
003877	RAHMAN	SHAMSUDDIN	UL		9/22/2009

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003881	LNU	HAMIDULLAH			9/22/2009
003882	MOHAMMAD	TAJ			9/22/2009
003883	ISMAEL	MULLAH			9/22/2009
003884	LNU	BILAL			9/22/2009
003885	KHAN	ABAS			9/22/2009
003886	KHAN	JANAT			9/22/2009
003887	RAHMAN	ZIA			9/22/2009
003888	LNU	TAHLIMIN			9/22/2009
003891	GUL	IMAN			9/22/2009
003893	SALAM	GUL			9/22/2009
003894	JAN	HAKIM			9/22/2009
003895	KHAN	QASIM			9/22/2009
003896	LNU	SHAHKARIN			9/22/2009
003897	KHAN	OMAR			9/22/2009
003898	RAHMAN	MOHAMMAD			9/22/2009
003899	AZIZ	HAJI ABDUL			9/22/2009
003900	RAHMAN	ABDUL			9/22/2009
003901	WAHID	ABDUL			9/22/2009
003906	QALAM	SAYED			9/22/2009
003907	ALIM	SAID			9/22/2009
003908	UL-HAQ	ZIA			9/22/2009
003909	AHMAD	NAQIB			9/22/2009
003910	LNU	HIDAYATULLAH			9/22/2009
003911	AGHA	QANDI			9/22/2009
003912	AGHA	TOTEE			9/22/2009
003913	DUHR	KAISER			9/22/2009
003914	IBRAHIM	MOHAMMED			9/22/2009
003915	MOHAMMAD	SAYED	DIN		9/22/2009
003917	KHAN	MIR	SALAM		9/22/2009
003918	JAN	ABDULLAH			9/22/2009
003919	LNU	ADIL			9/22/2009
003920	AYOUB	MOHAMMAD			9/22/2009
003821	KHAN	TAWIZ			9/22/2009
003922	JAN	HAJI	KHIAWA		9/22/2009

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003961	MOHAMMAD	RAZ							9/22/2009
003962	ISRAEL	QARI							9/22/2009
003965	GIR	JAHAN							9/22/2009
003966	MOHAMMAD	KHANAI							9/22/2009
003967	SHAH	JAWAL							9/22/2009
003968	RAOUF	MURLAH	ABDUL						9/22/2009
003969	AHAD	ABDUL							9/22/2009
003970	GUL	ZARIM							9/22/2009
003971	MOHAMMAD	HAJI	NAZAIR						9/22/2009
003972	GHANI	HAJI ABDUL							9/22/2009
003973	LNU	MUHAMMED							9/22/2009
003974	AZIZULLAH	QARI							9/22/2009
003976	LNU	SAFIR							9/22/2009
003977	NAFI	ABDUL							9/22/2009
003978	KATLAI	HAJI							9/22/2009
003980	BARBUR	MIKHAIL	IBRAHIM						9/22/2009
003981	AMIN	SAYEED							9/22/2009
003982	MOHAMMAD	HAJI	KHEYL						9/22/2009
003983	RAHMAN	SHAFIQ							9/22/2009
003984	GUL	LAHUR							9/22/2009
003985	KHAN	MURAD							9/22/2009
003986	RAHMAN	SAHEB							9/22/2009
003987	GUL	SUR							9/22/2009
003988	LNU	BISMULLAH							9/22/2009
003989	GUL	ALAM							9/22/2009
003990	SAMAD	ABDUL							9/22/2009
003991	HAQ	ABDUL							9/22/2009
003994	HAKIM	HAJI GUL							9/22/2009
003995	JAN	HAJJI	AGHA						9/22/2009
003997	SHAMSHER	AJMAL							9/22/2009
003998	GUL	NEYAMAT							9/22/2009
003999	NOOR	ALLAH							9/22/2009
004000	UNKNOWN	NAQIBULLAH							9/22/2009
004001	DAN	KHAN							9/22/2009

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004004	AHMEDKHAN	IBRAHIM		
004005	LNU	ABDULLAH		
004006	NOOR	SHARIF		
004007	HASSAN	SHER		
004008	LNU	SEFATULLAH		
004009	LNU	BAKTULLAH		
004011	LNU	SAIDULLAH		
004013	LNU	WALI		
004014	KUCHI	ABDULLAH		
004016	LNU	MATIULLAH		
004017	RAHMAN	ABDUL		
004018	LNU	RAHMAT		
004019	KHAN	MUNAWAR		
004020	GUL	PAINDA		
004021	POPALZAI	ADAM	JAN	
004022	LMU	ABDULLAH		
004023	MOHAMMAD	ROUZI		
004024	MOHAMMAD	SALEH		
004025	MARJAN	GHAZI		
004026	HASHIM	MOHAMMAD		
004027	AGHA	SAID		
004028	LNU	SHAMAL		
004029	GUL	ZIRAT		
004030	BASIR	ABDUL		
004031	BASHIR	MULLAH		
004032	LNU	WAKIL		
004033	SAIFI	HAQMAL		
004034	SADIQ	MOHAMMAD		
004035	LNU	JAMALUDDIN		
004036	LNU	ATIQUALLH		
004037	LNU	ATIQUALLAH		
004038	SHAH	GULAB		
004039	NAZAR	QARI		
004040	BAKAR	ABU		

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004041	YUSEF	MOHAMMAD			9/22/2009
004042	KHAN	MUSA			9/22/2009
004043	JAN	WANTAN			9/22/2009
004044	NA'IMI	MOHAMMAD			9/22/2009
004045	YUNUS	MOHAMMAD			9/22/2009
004046	MUHAMMAD	SAYID			9/22/2009
004047	LNU	SAFIULLAH			9/22/2009
004048	HAKIM	ABDUL			9/22/2009
004051	LNU	AHMADULLAH			9/22/2009
004052	KHAN	MIRZA			9/22/2009
004054	LNU	HIRULLAH			9/22/2009
004056	ANWAR	SAYED			9/22/2009
004057	JAMALUDDIN	SAID			9/22/2009
004058	FATAH	ABDUL			9/22/2009
004059	KASIM	MOHAMMAD			9/22/2009
004060	WALI	KHAN			9/22/2009
004061	JAN	AKBAR			9/22/2009
004062	ANWAR	SAID			9/22/2009
004063	KAREEM	ABDUL			9/22/2009
004064	JALANI	MULLAH			9/22/2009
004065	QABIL	MAULAWI			9/22/2009
004066	OSMAN	MOHAMMAD			9/22/2009
004067	LNU	HAFIZULLAH			9/22/2009
004068	SAKHI	GHOLAM			9/22/2009
004069	KHAN	AJIMAL			9/22/2009
004070	LNU	LAMBAT			9/22/2009
004071	RAHIM	FAZAL			9/22/2009
004072	LNU	NOORULLAH			9/22/2009
004073	QAYUM	ABDUL			9/22/2009
004074	WALI	KHAN			9/22/2009
004075	LNU	JUMADIN			9/22/2009
004076	MUTALIB	MULLAH			9/22/2009
004077	RAHIM	ABDUL			9/22/2009
004078	(LNU)	EDULLAH			9/22/2009

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004113	KHAN	PASTA			9/22/2009
004114	((LNU))	MUJAHED			9/22/2009
004115	RAHMAN	FAZIL			9/22/2009
004116	((LNU))	ZAKARIYA			9/22/2009
004117	QASIM	MOHAMMAD			9/22/2009
004118	((LNU))	MUSA			9/22/2009
004119	RAHMAN	ABDUL			9/22/2009
004120	HAMADULLAH	MULLAH			9/22/2009
004121	MALIK	ABDUL			9/22/2009
004122	GHANI	ABDUL			9/22/2009
004123	JAN	ABDULLAH			9/22/2009
004124	TURAV	BAKHTY	GUL		9/22/2009
004125	KARIM	MULLAH			9/22/2009
004126	NAIM	MULLAH			9/22/2009
004127	WAHED	HAJJI			9/22/2009
004128	LNU	SHAMSAULLAH			9/22/2009
004129	LNU	EZATULLAH			9/22/2009
004130	LNU	ESMATULLAH			9/22/2009
004131	YAMATULLAH	NAIMAT			9/22/2009
004132	SULTAN	MOHAMMED			9/22/2009
004133	LNU	JANAN			9/22/2009
004134	GUL	ALI			9/22/2009
004135	((LNU))	SAIDULLAH			9/22/2009
004136	LNU	RAHMATULLAH			9/22/2009
004137	LNU	ZALMAI			9/22/2009
004138	WASAY	ABDUL			9/22/2009
004139	KARIM	ABDUL			9/22/2009
004140	AHMAD	MULLAH	SAID		9/22/2009
004141	YAQOUB	MOHAMMAD			9/22/2009
004142	(LNU)	RAHMATULLAH			9/22/2009
004143	ASLAM	MOHAMMAD			9/22/2009
004144	MOHAMMAD	GHULAM			9/22/2009
004145	NABI	MOHAMMAD			9/22/2009
004146	JAN	TOOR			9/22/2009

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004147	ALDIN	NASR		
004148	BARI	AHBUL		
004149	MOHAMMAD	SHIR		
004150	MANAN	ABDUL		
004151	MOHAMMAD	ANIAZ		
004152	LUN	KHANI		
004153	AGHA	HAJI	MAULAWI	
004154	(LNU)	RAFIQ		
004155	AHMAD	NOOR	SAYED	
004156	ELYAS	MUHAMMAD		
004157	WAIS	MIR		
004158	LNU	HAWATULLAH		
004159	LNU	HEDAYATULLAH		
004160	AHAD	ABDUL		
004161	DAD	RAHIM		
004162	MOHAMMAD	SAYED		
004163	WALI	SARDAR		
004164	RAHIM	MOHAMMAD		
004165	BASHIR	MULLAH		
004166	(LNU)	MOHAMMED		
004167	KHAN	NAWAB		
004168	JAN	SAKHI		
004169	MAHAMOUD	ALAM	KHAN	SHAH
020001	KHAN	MIR	WALI	
020002	LNU	ZARGHUN		
020003	LNU	RAHMATULLAH		
020004	LNU	MAROOF		
020005	GUL	ADEL		
020006	KHAN	HASAN		
020008	HADI	ABDUL		
020009	RAHMAN	ABDUL		
020010	KHAN	HAYAT		

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(b)(2)

020011	HANBALI	HAJI		
020012	HAMZA	MOHAMMAD		
020013	JAN	LAL		
020014	HASHIM	MOHAMMAD		
020015	FAZIL	MOHAMMAD		
020016	AGHA	DAUD		
020017	RAHIM	ABDUL		
020019	GHAJUR	ABDUL		
020021	SATAR	ABDUL		
020022	DAWOOD	MOHAMMAD		
020023	UNKNOWN	MAHMOOD		

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# Exhibit C

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

FADI AL MAQALEH, <i>et al.</i>	)	
	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 1:08-cv-00952 (JDB)
	)	
ROBERT GATES, <i>et al.</i> ,	)	
	)	
	)	
Respondents.	)	

---

**DECLARATION OF COLONEL CHARLES A. TENNISON**

I, Colonel Charles A. Tennison, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I currently serve as Commander of Task Force Guardian, Combined/Joint Task Force Force-101 (“CJTF-101”), as well as Commander of Detention Operations, CJTF-101. The statements in this declaration are based upon my personal knowledge and upon information made available to me in the performance of my official duties.

2. CJTF-101 is headquartered at Bagram Airfield in the Islamic Republic of Afghanistan (“Afghanistan”). CJTF-101, along with Afghan National Security Forces, conducts full spectrum operations to defeat al Qaeda, the Taliban, and their affiliates and supporters. CJTF-101 integrates joint, interagency, and multinational forces partnered with the Afghans in order to establish security, deter the re-emergence of terrorism, and enhance the sovereignty of Afghanistan.

3. Task Force Guardian, a subordinate unit of CJTF-101, is under United States national command and control. Task Force Guardian is responsible for operating the Bagram Theater Internment Facility (“BTIF”), a Department of Defense (“DoD”)

funded the renovation of an Afghan prison, known as the Afghan National Detention Facility. The United States also provides other assistance to the Government of Afghanistan regarding the operation of this detention facility, both to facilitate these transfers and to ensure an Afghan detention capability that meets international standards. The detention facility is owned and operated by the Government of Afghanistan.

17. Under certain circumstances, the detaining combatant commander is authorized by the Secretary of Defense to transfer certain unlawful enemy combatants (including citizens of Afghanistan) from the BITF to their home countries. The criteria and procedures for that program are classified. Following the release of these individuals to their home countries, the United States no longer exercises any custody or control over these former detainees.

18. Some Afghan detainees and detainees who are nationals of third countries are expected to remain in DoD custody, subject to periodic administrative review, until such time that they are no longer deemed to pose a threat to the United States, coalition forces, or the Government of Afghanistan.

**Petitioner Fadi Al Maqaleh**

19. Our records reflect that we are currently detaining at the BTIF a Yemeni citizen whose name is the same as or closely similar to Petitioner's name and whose father's name is the same as or closely similar to the name of Petitioner's father.

20. The detainee was captured in Zabul, Afghanistan. The UECRB last reviewed his unlawful enemy combatant status on July 17, 2008. Following that review, his status as an unlawful enemy combatant was validated by the Commanding General, CJTF-101, or his designee.

# Exhibit D

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

AMIN AL BAKRI, <i>et al.</i>	)	
	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 1:08-cv-01307 (ESH)
	)	
GEORGE W. BUSH, <i>et al.</i> ,	)	
	)	
	)	
Respondents.	)	

---

**DECLARATION OF COLONEL CHARLES A. TENNISON**

I, Colonel Charles A. Tennison, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I currently serve as Commander of Task Force Guardian, Combined/Joint Task Force Force-101 (“CJTF-101”), as well as Commander of Detention Operations, CJTF-101. The statements in this declaration are based upon my personal knowledge and upon information made available to me in the performance of my official duties.

2. CJTF-101 is headquartered at Bagram Airfield in the Islamic Republic of Afghanistan (“Afghanistan”). CJTF-101, along with Afghan National Security Forces, conducts full spectrum operations to defeat al Qaeda, the Taliban, and their affiliates and supporters. CJTF-101 integrates joint, interagency, and multinational forces partnered with the Afghans in order to establish security, deter the re-emergence of terrorism, and enhance the sovereignty of Afghanistan.

3. Task Force Guardian, a subordinate unit of CJTF-101, is under United States national command and control. Task Force Guardian is responsible for operating the Bagram Theater Internment Facility (“BTIF”), a Department of Defense (“DoD”)



Facility. The United States also provides other assistance to the Government of Afghanistan regarding the operation of this detention facility, both to facilitate these transfers and to ensure an Afghan detention capability that meets international standards. The detention facility is owned and operated by the Government of Afghanistan.

17. Under certain circumstances, the detaining combatant commander is authorized by the Secretary of Defense to transfer certain unlawful enemy combatants (including citizens of Afghanistan) from the BITF to their home countries. The criteria and procedures for that program are classified. Following the release of these individuals to their home countries, the United States no longer exercises any custody or control over these former detainees.

18. Some Afghan detainees and detainees who are nationals of third countries are expected to remain in DoD custody, subject to periodic administrative review, until such time that they are no longer deemed to pose a threat to the United States, coalition forces, or the Government of Afghanistan.

**Petitioner Amin Al Bakri**

19. Our records reflect that we are currently detaining at the BTIF a Yemeni citizen whose name is the same as or closely similar to Petitioner's name and whose father's name is the same as or closely similar to the name of Petitioner's father.

20. The UECRB last reviewed his unlawful enemy combatant status on July 17, 2008. Following that review, his status as an unlawful enemy combatant was validated by the Commanding General, CJTF-101, or his designee.

# Exhibit E



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

REDHA AL-NAJAR, <i>et al.</i>	)	
	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 1:08-cv-02143 (JDB)
	)	
ROBERT GATES, Secretary, United States	)	
Department of Defense, <i>et al.</i> ,	)	
	)	
	)	
Respondents.	)	

---

**DECLARATION OF COLONEL JOE E. ETHRIDGE**

I, Colonel Joe E. Ethridge, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I currently serve as Commander of Task Force Guardian, Combined/Joint Task Force Force-101 (“CJTF-101”), as well as Commander of Detention Operations, CJTF-101. The statements in this declaration are based upon my personal knowledge and upon information made available to me in the performance of my official duties.

2. CJTF-101 is headquartered at Bagram Airfield in the Islamic Republic of Afghanistan (“Afghanistan”). CJTF-101, along with Afghan National Security Forces, conducts full spectrum operations to defeat al Qaeda, the Taliban, and their affiliates and supporters. CJTF-101 integrates joint, interagency, and multinational forces partnered with the Afghans in order to establish security, deter the re-emergence of terrorism, and enhance the sovereignty of Afghanistan.

3. Task Force Guardian, a subordinate unit of CJTF-101, is under United States national command and control. Task Force Guardian is responsible for operating the Bagram Theater Internment Facility (“BTIF”), a Department of Defense (“DoD”)

Afghanistan regarding the operation of this detention facility, both to facilitate these transfers and to ensure an Afghan detention capability that meets international standards. The detention facility is owned and operated by the Government of Afghanistan.

17. Under certain circumstances, the detaining combatant commander is authorized by the Secretary of Defense to transfer certain unlawful enemy combatants (including citizens of Afghanistan) from the BITF to their home countries. The criteria and procedures for that program are classified. Following the release of these individuals to their home countries, the United States no longer exercises any custody or control over these former detainees.

18. Some Afghan detainees and detainees who are nationals of third countries are expected to remain in DoD custody, subject to periodic administrative review, until such time that they are no longer deemed to pose a threat to the United States, coalition forces, or the Government of Afghanistan.

**Petitioner Redha Al-Najar**

19. Our records reflect that we are currently detaining at the BTIF a Tunisian citizen whose name is the same as or closely similar to Petitioner's name and whose father's name is the same as or closely similar to the name of Petitioner's father.

20. The detainee was captured in Karachi, Pakistan. The UECRB last reviewed his unlawful enemy combatant status on July 17, 2008. Following that review, his status as an unlawful enemy combatant was validated by the Commanding General, CJTF-101, or his designee.

# Exhibit F

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

HAJI WAZIR, <i>et al.</i>	)	
	)	
Petitioners,	)	
	)	
v.	)	Civil Action No. 1:06-cv-01697 (RBW)
	)	
ROBERT GATES, Secretary, United States Department of Defense, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**DECLARATION OF COLONEL CHARLES A. TENNISON**

I, Colonel Charles A. Tennison, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I currently serve as Commander of Task Force Guardian, Combined/Joint Task Force Force-101 (“CJTF-101”), as well as Commander of Detention Operations, CJTF-101. The statements in this declaration are based upon my personal knowledge and upon information made available to me in the performance of my official duties.

2. CJTF-101 is headquartered at Bagram Airfield in the Islamic Republic of Afghanistan (“Afghanistan”). CJTF-101, along with Afghan National Security Forces, conducts full spectrum operations to defeat al Qaeda, the Taliban, and their affiliates and supporters. CJTF-101 integrates joint, interagency, and multinational forces partnered with the Afghans in order to establish security, deter the re-emergence of terrorism, and enhance the sovereignty of Afghanistan.

3. Task Force Guardian, a subordinate unit of CJTF-101, is under United States national command and control. Task Force Guardian is responsible for operating the Bagram Theater Internment Facility (“BTIF”), a Department of Defense (“DoD”)

Afghanistan regarding the operation of this detention facility, both to facilitate these transfers and to ensure an Afghan detention capability that meets international standards. The detention facility is owned and operated by the Government of Afghanistan.

17. Under certain circumstances, the detaining combatant commander is authorized by the Secretary of Defense to transfer certain unlawful enemy combatants (including citizens of Afghanistan) from the BITF to their home countries. The criteria and procedures for that program are classified. Following the release of these individuals to their home countries, the United States no longer exercises any custody or control over these former detainees.

18. Some Afghan detainees and detainees who are nationals of third countries are expected to remain in DoD custody, subject to periodic administrative review, until such time that they are no longer deemed to pose a threat to the United States, coalition forces, or the Government of Afghanistan.

**Petitioner Haji Wazir**

19. Our records reflect that we are currently detaining at the BTIF a Afghan citizen whose name is the same as or closely similar to Petitioner's name and whose father's name is the same as or closely similar to the name of Petitioner's father.

20. The detainee was captured in Karachi, Pakistan. The UECRB last reviewed his unlawful enemy combatant status on July 17, 2008. Following that review, his status as an unlawful enemy combatant was validated by the Commanding General, CJTF-101, or his designee.

# Exhibit G





**VIDEO**  
**FRONT PAGE**

**AFRICA**  
**AMERICAS**  
**ASIA-PACIFIC**  
**CENTRAL/S. ASIA**  
**EUROPE**  
**MIDDLE EAST**

**FOCUS**  
**BLOGS**  
**BUSINESS**  
**SPORT**  
**PROGRAMMES**  
**WEATHER**  
**YOUR VIEWS**

**SEARCH**  
**ARABIC**  
**ABOUT US**

**RSS**

## [Notes from Bagram prison \(/asia/2009/11/16/notes-bagram-prison\)](#)

By [James Bays \(/profile/james-bays\)](#) in [Asia \(/asia\)](#) on November 16th, 2009

[Share \(http://addthis.com/bookmark.php?v=250&pub=mrayyan\)](http://addthis.com/bookmark.php?v=250&pub=mrayyan)



Photo by AFP

For the first time, reporters have been [taken to \(http://english.aljazeera.net/news/asia/2009/11/20091115114337109563.html\)](http://english.aljazeera.net/news/asia/2009/11/20091115114337109563.html) the controversial Bagram prison, north of Kabul. I joined the press tour.

It soon became clear this was part of a concerted drive to show Bagram's new face. In fact, the new prison block, built at a cost of \$60 million has been renamed Parwan Detention Facility. (Parwan is the province, north of Kabul, where Bagram is located.)

This is the report I filed on what we were shown:



A few footnotes to the report:

#### **Bagram numbers**

In the past, military officials have refused to go on the record about the number of prisoners at the jail. Brigadier General Mark Martin, the acting commander, was more forthcoming. He told us the prison currently houses about 700 people. Of these, “about 30” were non-Afghans, and “about 5” were juveniles.

#### **Foreign detainees**

In a US federal court ruling on April 2nd, Judge Bates ruled that those 30 or so foreign detainees have the right to bring a habeas petition. His ruling is currently being appealed by the Obama administration. I asked whether those covered by the ruling would in the meantime be allowed visits from their lawyers. Brigadier General Martins’ answer was unequivocal, “No. They will be treated like all the other prisoners.”

#### **Old Bagram**

We were consistently told the new jail was bigger and better than the existing prison, which is reportedly based in a converted, former aircraft repair shop on Bagram Airfield. The official line, though, is that there was nothing wrong with the old prison, officially called the “Bagram Theatre Internment Facility”. However, I was also told there was no chance of ever filming there, even when it is soon deactivated. The building has apparently been “designated classified.”

#### **Prisoner protest**

The International Committee of the Red Cross has since 2008 organised family visits to Bagram. These were cancelled in July, amid reports of a mass protest by prisoners that went on for months. This news was confirmed by a number of military personnel during my trip to Bagram. I was told, “the atmosphere has now improved.”

#### **Transfer to US Government Control**

During the press tour, we were told that the new prison would eventually be handed over to the Government of Afghanistan. We were told it had deliberately been built on the edge of Bagram, so that it could be separated from the rest of the airbase. However, no time frame was given for any handover. One senior Afghan official, who was attending the event, told me that the transfer needs to happen as soon as possible. He said the current system “was not helping the Americans or Afghanistan.”

#### **CJTF-435**

A new command has been set up, to take charge of all detainee operations in Afghanistan, including Bagram. Brigadier General Martins is the acting commander, until Vice Admiral Robert Harward arrives in the next few weeks.

Of course, CJTF-435 is a US operation, not part of ISAF (the NATO force). Many other NATO and ISAF nations are very uneasy about Bagram and what goes on there.

Topics in this blog



# Exhibit H

## **Detained Zabul province militant identified**

Written by Bagram Media Center

Wednesday, 30 April 2008 03:25 - Last Updated Monday, 26 May 2008 16:16

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BAGRAM AIR FIELD, Afghanistan – Coalition forces have released the identity of an insurgent detained during an operation conducted last month to disrupt militant operations in Zabul province.

The insurgent, Hajji Abdul Majid Khan, was apprehended during the operation in Qalat District.

Khan, 55, was detained March 3 during an operation targeting him. Khan, aka Majid Khan, was a Taliban financier and IED facilitator in Zabul province. He is known to have planned and conducted IED attacks against Coalition forces, harbored and facilitated suicide bombers and raised finances for Taliban operations.

# Exhibit I

## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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BAGRAM AIRFIELD, Afghanistan – Since the middle of August, Afghan National Security Forces with assistance from International Security Assistance Force and Coalition forces have continued to remove militants from eastern Afghanistan, creating a safer environment for the Afghan people.

Between Aug. 20 and Oct. 17, more than 30 key insurgents, mostly Taliban and Haqqani network senior leaders, known for leading the planning and undertaking of deadly attacks directed towards Afghan citizens, Afghan government officials, ANSF and Coalition forces, as well as facilitating the trafficking of fighters, weapons, explosives and money to support their terrorist activities, have either been killed or captured.

“We continued to seek out and remove those personnel that pose a direct threat to the Afghan people as they look to build a better future,” said Lt. Col. Clarence Counts, Jr., Combined Joint Task Force - 82 and Regional Command (East) spokesman. “These men have no regard for the Afghan people, often directing their attacks against them, offering nothing but fear and intimidation.”

Some of the militants captured or killed between mid-August and Mid-October include;

Mullah Farid Fazil Lang, an Improvised Explosive Device Cell Commander in Baraki Barak district, Logar province, was killed Aug. 23. Lang planned and participated in attacks directed towards ANSF and ISAF personnel, as well as being involved in the kidnapping of New York Times reporter David Rhodes in November 2008.

Saif ul Rahman, the overall Taliban operational commander in the Kushamond area of Dila district, southwestern Paktika Province was detained, Sept. 22. Rahman conducted numerous attacks against coalition forces to include the use of IED's.

Khanay Gul Nazir, a Taliban Commander who facilitated other fighters and Taliban leaders with suicide vests, IED's, safe houses and financing was detained in Logar province, Sept. 4.

## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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Miaki Khan, was detained Sept. 10. Khan, a Haqqani commander near the Khost-gardez Pass, facilitated foreign fighters in Afghanistan.

Karimullah, a Taliban commander in Pul-e Alam district, Logar province responsible for multiple kidnappings, and planning an attack against the Serena Hotel in Kabul, was killed Oct. 9.

Mullah Yasin, the Taliban commander of Shiekabad village in northern Sayed Abed district of Wardak province responsible for IED ambushes along Highway 1, was killed Oct. 8.

Atiqullah, a Taliban commander, mediator and IED facilitator in Pol-e Alam district, Logar province was detained Oct. 1.

Sali Jan, a Haqqani financier and logistics commander in Zormat, Gardez and Gerdai Serai districts, was detained Sept. 5. Jan was in charge of the finances of the Taliban in Afghanistan and Pakistan working directly with Sirajuddin Haqqani and was associated with several commanders and fighters throughout the Haqqani network.

Mullah Arif, a Taliban Commander, responsible for multiple kidnappings and their facilitation was killed Sept. 7 in Logar province.

Daulat Khan, a mid level Taliban commander in the Seyyed Khel Village, Besmil District, Khowst Province who directed and facilitated IED attacks against ANSF and ISAF forces in the Khost-Gardez Pass area was detained Sept. 20.

Zubair a known Taliban commander and IED attack facilitator in Sar Howza district, Paktika province was killed Sept. 3. Zubair also planned and coordinated ambush attacks against ISAF and ANSF forces.

Rahim Dad, who facilitated foreign fighters was detained Oct. 5.

## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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Lutfullah, a Taliban IED facilitator in Sayed Abad district, Wardak province was captured Sept. 15.

Karim Shakan a Taliban commander who facilitated the movement and use of IEDs, recruited local Afghans for the insurgency, and preached anti government messages in Kadam village was detained Oct. 6.

Gul Rahim an insurgent commander was detained Sept. 28.

Shir Mohammed a weapons facilitator near Jalalabad in Nangahar province, was detained Sept. 29.

Baram Jan Milgeri was captured Oct. 3. Milgeri served as a deputy Haqqani commander to Baram Jan. Milgeri was involved with the purchasing of weapons and the passing off of information pertaining to ISAF soldiers' movement in the Khost-Gardez Pass.

Qari Abdul Rahman, an explosives engineer, network financial officer, and suicide IED facilitator operating in Mayden Shahr, Nerkh, and Jalreyz districts, Wardak province was captured Aug. 4.

Mohammad Dawood, a Taliban commander in Gelan district, Ghazni province was detained Sept. 1.

Mullah Karim was detained Aug. 5. Karim facilitated logistics and safe havens for Taliban commanders in Andar district, Ghazni province. He is responsible for IED and direct attacks against afghan and coalition forces.

Matiullah, who was affiliated with insurgents and their activities while serving as an Afghan

## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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National Policeman in Parwan province, was detained Oct. 3. Maitullah often gave information about Afghans who worked with their government to Taliban leadership.

Fazil Wahid, a Taliban commander, who led an IED cell in Shuryak Valley, Konar province was killed Oct. 11. Wahid was responsible for conducting complex and IED attacks against Afghan and Coalition forces in the Pech Valley.

Abdul Ghaio, a Salafist sub-commander under Dowron in Konar province was killed Oct. 11. Ghaio was responsible for attacks on coalition bases and conducting election attacks in Konar. He was associated with IED experts Fazil Wahid and Mohammad Anshah.

Sayed Basir, a Taliban sub-commander in Pul-e Alam district, Logar province was detained Oct. 8. Basir was responsible for facilitating vehicle borne IED's in Logar and Kabul and planing to disrupt the elections by attacking vehicles carrying ballot boxes.

Fraidoon, an IED maker and facilitator to insurgents in Pol-e Alam and Baraki Barak districts, Logar province was captured Oct. 10. Fraidoon and his brothers are responsible for emplacing IEDs in villages of Qala-Sar Sang, Qala-e Abad and Karez-e Qala-e Abad.

Farhad, an IED maker and facilitator to insurgents in Pol-e Alam and Baraki Barak districts, Logar province was captured Oct. 10. Farhad and his brothers are responsible for placing IEDs in villages of Qala-Sar Sang, Qala-e Abad and Karez-e Qala-e Abad.

Fardeen, an IED maker and facilitator to insurgents in Pol-e Alam and Baraki Barak districts, Logar province was captured Oct. 10. Fardeen and his brothers are responsible for emplacing IEDs in villages of Qala-Sar Sang, Qala-e Abad and Karez-e Qala-e Abad.

Gul Na Sim, a supplier of weapons, was detained Oct. 17.

## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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Haji Zalmai, a suicide IED facilitator and explosives expert, in Wardak province, was detained Aug. 17. Zalmai is responsible for suicide attacks, abductions and IED assaults in Kabul Province.

Lias Khan, a Taliban IED facilitator was captured Sept. 10. Khan operated within Achin district, Nangarhar province, selling IED's to Taliban members from his shop in the Shadil bazaar. He was also a drug smuggler who sold heroin in areas of Pakistan to fund his purchases of IED supplies for the Taliban

Tela Khan, a member of Taliban leadership for Kadam village and Terezayi district in Khost province was detained Oct. 6. Khan stored weapons and IED making materials, transported Taliban and foreign fighters from Miram Shah, Pakistan to Kadam village, assisted in the training of suicide bombers and hosted insurgent planning sessions at his home.

Sebghatulla, a Hizb-I Islami Gulbuddin commander was killed Oct. 17. Sebghatulla procured weapons and munitions for insurgent activity and was involved in the intimidation of the population in Bagram and Charikar districts of Parwan province as well as Qarabagh district of Kabul. He was closely connected to corrupt government officials in Parwan and was responsible for attacks on Bagram.



## Key militants removed from fight

Written by Bagram Media Center

Saturday, 21 November 2009 23:10 - Last Updated Saturday, 21 November 2009 23:21

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Noor Agha, a Taliban IED emplacer and former Mujahidin commander who joined the Taliban insurgency in the Nijrab Valley of Kapisa province was captured Oct. 15.

Marouf Khan, a Haqqani network facilitator operating within an IED cell in Sabari district, Khowst province was detained Oct. 18. Khan was involved in the facilitation of weapons, IED material, and funds for IED cells throughout Sabari district.

# Exhibit J

## **Afghan National Commandos, Coalition Forces detain an insurgent leader and two militants**

Written by Headquarters United States Forces Afghanistan  
Monday, 22 December 2008 08:59 -

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Release Number: 20081812-02

December 16, 2008

KABUL, Afghanistan – Afghan National Army Commandos, assisted by Coalition forces, detained an insurgent leader, Abdul Wahid, and two militants, Raz Gul and Haider, in Behsood district, Nangarhar province, Dec. 17.

Afghan National Army Commandos conducted a raid, after receiving credible information, on a compound serving as a transit point for various Anti-Afghan Forces (AAF) facilitators moving throughout Nangarhar province.

During the search of the compound, Afghan Commandos detained the three militants, Abdul Wahid, Raz Gul and Haider. All three individuals identified themselves during questioning by the Commandos.

Abdul Wahid is responsible for numerous attacks against ANSF and Coalition forces and facilitating AAF activities throughout Nangarhar province. Raz Gul and his brother Haider are reported weapons smugglers and suppliers for insurgent fighters in Konar province.

The Commandos encountered no resistance during the detention process and safeguarded six women and 17 children at the compound.

“This operation by ANSF was a great success. ANSF detained extremists who continually seek to hurt the Afghan people while ensuring innocent women and children were unharmed,” said an Afghan Ministry of Defense spokesperson.

No shots were fired and no non-combatants were harmed during the conduct of this mission.

## **Afghan National Commandos, Coalition Forces detain an insurgent leader and two militants**

Written by Headquarters United States Forces Afghanistan  
Monday, 22 December 2008 08:59 -

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# Exhibit K

## **Afghan National Commandos, Coalition forces capture two Taliban Commanders and one militant**

Written by Headquarters United States Forces Afghanistan  
Monday, 22 December 2008 08:55 -

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Release Number: 20081612-03

Dec. 16, 2008

KABUL, Afghanistan – Afghan National Commandos, assisted by Coalition forces, detained Taliban commanders Abdul Aziz and Abdul Rahman as well as one militant, Ishmail, during a security patrol in Jalalabad City, Nangahar (Nangarhar) province, Dec. 15.

Abdul Rahman is a Taliban commander associated with facilitating IED activity in the Korengal Valley, Konar province and is also directly linked to more than 50 attacks against Afghan National Security Forces and Coalition forces. Rahman's nephew, Ishmail, is also linked to Anti-Afghan Forces activities in the Korengal Valley.

Abdul Aziz is a well known insurgent in Konar province and has conducted numerous attacks on the ANSF and Coalition forces. He is also responsible for the deaths of Coalition forces members and Afghan citizens.

The ANA Commandos and Coalition forces conducted the patrol after receiving credible information from local officials on AAF activities in Jalalabad City.

ANA Commandos searched a home for suspected illegal material and AAF after gaining permission from the owners to enter. During the course of their search they detained the three known insurgents while safeguarding 20 men and 30 women. All three individuals identified themselves during questioning by Commandos.

During the patrol no shots were fired and no non-combatants were harmed.

“This operation demonstrates our Afghan National Security Forces are growing in their

## **Afghan National Commandos, Coalition forces capture two Taliban Commanders and one militant**

Written by Headquarters United States Forces Afghanistan  
Monday, 22 December 2008 08:55 -

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capability and competence,” said Gen. Mohammad Zahir Azimi, Chief spokesperson for the Afghan Ministry of Defense. “Our efforts today prevented future IED attacks that would have harmed the innocent.”

# Exhibit L



## **ANSF, Coalition forces detain Taliban leader in Khowst province**

Written by Headquarters United States Forces Afghanistan

Monday, 17 November 2008 12:18 - Last Updated Monday, 17 November 2008 12:20

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BAGRAM AIRFIELD, Afghanistan – Afghan National Security Forces and Coalition forces detained a Taliban leader in Wurzi, Khowst province Nov. 9.

ANSF and Coalition forces detained Laeek Shah, a Taliban commander, during a patrol without incident.

Credible intelligence suggests the captured leader is a Taliban field commander and is responsible for leading and conducting attacks on ANSF and Coalition troops in the area.

No Coalition forces or civilian casualties were reported.

# Exhibit M

## **NDS, Coalition forces capture a Taliban commander, three others in Kandahar**

Written by Bagram Media Center  
Sunday, 12 October 2008 20:20 -

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BAGRAM AIR FIELD, Afghanistan (Oct. 7, 2008) – Members of the National Directorate of Security and Coalition forces captured a Taliban commander and three additional persons of interest in Kandahar, Oct. 5.

Hafiz Abdul Khaliq, a known Taliban commander, and three militants were located through intelligence reports in known safehouses in Panjwayi District.

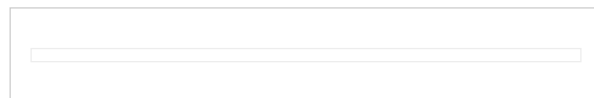
Hafiz Abdul Khaliq is responsible for several attacks against Afghan National Security Forces and Coalition forces.

No NDS or Coalition forces were injured or killed during the operation.

# Exhibit N

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## MILITARY

AMERICAN FORCES INFORMATION SERVICE  
**NEWS ARTICLES**

### Afghan Forces Inflict Losses, Detain Local Taliban Leader

American Forces Press Service

WASHINGTON, March 5, 2008 – Afghan national [security](#) forces, advised by coalition forces, killed several insurgents March 2 after a failed Taliban ambush 30 kilometers northeast of Gareshk district in Helmand province, military officials reported yesterday.

The combined force was conducting a reconnaissance patrol when a group of insurgents engaged them with small-arms fire, rocket-propelled grenades and mortar fire. The combined force immediately returned accurate small-arms and machine-gun fire. The large group of insurgents attempted to outmaneuver the combined force and moved into a trench line.

Moments later, the combined force fixed the insurgents in their position and used precision munitions to kill the Taliban insurgents who were trying to reinforce the enemy positions.

In other recent operations, Afghan and coalition forces captured seven insurgents Feb. 28 in Surkhagan village during an air assault mission in Zabul province, officials said.

During the mission, Afghan National Army and coalition forces infiltrated several compounds and cave complexes in search of insurgents and bomb-making facilities and material. They found three car bombs, bomb-making materials, storage facilities, ammunition caches and insurgent fighting positions. The combined force called in precision air strikes that destroyed the cave complex, fighting positions and the ammunition storage areas.

Afghan army leadership conducted a shura, or consultation, with the villagers to assure them the area is safer now because the insurgents were captured, which officials said helped to neutralize the bomb threat.

“The ANA mission’s success degraded the insurgents’ ability to fight, neutralized the (car bombs) and disrupted future insurgent attempts to disrupt peace,” said Army Capt. Vanessa R. Bowman, a coalition spokeswoman.

In other [news](#), Afghan and coalition forces have positively identified a Taliban leader detained during a Feb. 25 joint operation in Ghazni province as Mullah Shabir.

Shabir is believed to have provided intelligence, logistical support and improvised explosive devices to Taliban forces. He also is believed to be responsible for recent rocket attacks throughout Ghazni province, officials said.

The joint operation was conducted based on [information](#) received through a program that offers Afghan citizens financial compensation for information that leads to the capture of enemy personnel or the recovery of weapons. It also serves as a means for Afghan citizens to directly and anonymously participate in the effort to rid the country of insurgents, illegal weapons and explosives, officials said.

(Compiled from Combined Joint Task Force 82 news releases.)

# Exhibit O

[Print this Page](#)[Close Window](#)**Detained Afghan militants identified as Haqanni network members**

Posted on : 2008-04-25 | Author : DPA

News Category : Asia

Kabul - US-lead coalition forces on Friday said two militants detained in the south-eastern province of Khost who were behind suicide bombing targeting Afghan and coalition forces, were identified as members of the Haqanni network, a former mujahideen party that fought invading Russian troops. The two militants, identified as Baitullah and Mahajir Ziarahman, were apprehended during an operation in Sabari district targeting the Haqanni network and improvised explosive device (IED) cells, said a military statement issued from the US base in Bagram.

Biatullah, 34, was the target of the operation. He was a member of a Haqanni network based in Sabari that conducted the suicide bombing of the Sabari District Centre last month.

According to the statement, Siraj Haqqani, the leader of the Haqqani Network, claimed responsibility for the bombing, added the statement.

Mahajir Ziarahman, 23, was also a member of the same Sabari-based IED cell and is Biatullah's brother. Ziarahman has emplaced IEDs targeting Afghan Security Forces and coalition forces in Khowst province, the statement added.

Meanwhile, police in the eastern province of Nangarhar said they arrested a would-be suicide bomber near the Samar Khail chick post.

Abdul Ghafor, Nangarhar province police department spokesman, said the suicide bomber was arrested in the area of Pul-e-Sarach near to the Samarkhail check post, adding, the "suicide bomber was detained with the help of local people."

[Print this Page](#)[Close Window](#)**Print Source :**

<http://www.earthtimes.org/articles/show/201322,detained-afghan-militants-identified-as-haqanni-network-members.html>

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# Exhibit P



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## CFC-A AO DETAINEE OPERATIONS

### REPORT OF INSPECTION

26 June 2004

#### SECTION I. INTRODUCTION

1. This general officer led inspection of Combined Forces Command – Afghanistan (CFC-A) Area of Operations (AO) detainee operations was initiated at the direction of the Commander, CFC-A, in FRAGO 48, dated 18 May 2004 (Enclosure A). The Commander, Combined Joint Task Force (CJTF) -76, subsequently appointed BG Charles H. Jacoby Jr. to lead this inspection (Enclosure B). The inspection was conducted beginning 19 May 2004 and continued through 26 June 2004. Consistent with specific instructions contained in the appointment memorandum, this inspection relied upon the support of the CJTF-76 staff and their efforts to conduct collateral reviews and evaluations, and also considered previous and contemporaneous inspections and investigations of detainee operations conducted in this theater.
2. This inspection's primary purpose was to ascertain the standard of treatment provided to persons detained by US forces throughout the detention process from apprehension to release or long-term confinement. Initially, five focus areas defined the approach of the inspection: command and control (C<sup>2</sup>); medical treatment provided to detainees; collection area procedures; Soldier special instructions and general orders; and compliance with international humanitarian law as it applies to this conflict. Early in the inspection it became apparent that information and intelligence collection needed to be specifically addressed as a sixth focus area. The handling of detainees and intelligence and information collection are the two sub-processes of detainee operations. The authorities, procedures, and standards under which these processes are carried out set the conditions for the overall standard of treatment detainees receive in US custody.
3. While there was a near universal understanding in CJTF-76 that humane treatment was the standard by which detainees would be treated, guard awareness and application of standard operating procedures (SOP) was lacking. Comprehensive SOPs do exist in theater, but dissemination, implementation, and a corresponding appreciation for assigned responsibilities were inconsistent across the AO. Failure to establish and enforce standards throughout the detention process creates friction on the process, which increases risk of detainee abuse and frustrates effective collection and dissemination of

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Declassified by: Vice Admiral  
Nichols  
use@comdusmilitary  
COR  
7 Jun 06


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use of detention facilities. Current theater guidance is drafted clearly, but is not comprehensive or well known outside the task force headquarters. In addition, a comprehensive means of disseminating guidance, training, and inspecting detention operations needs to be developed.

### Special Findings

20. Special findings focus on specific phases of detention operations including initial capture and detention, release, short/long term detention and movement within theater, transfer to military detention facilities at Guantanamo Bay, release and repatriation, interrogations, and overall process management (Enclosure M). All phases and C<sup>3</sup> of the process suffered from a lack of knowledge of current theater policy and procedures.

a. Initial capture – policy on initial capture is lacking. Units in theater regularly conduct cordon and search operations, but some detain few if any persons, while others detain in large numbers. Over two-thirds of the detention facilities across the CIAA had

 } 1.4(a)  
generated forms to document capture data; few if any units had standardized detention kits available to ensure a consistent approach to identifying evidence and recording data. Screening individuals initially detained is done on an ad hoc basis dependent on resources. Some units bring the screening resources to the scene; others take those detained with them to field detention facilities. While understanding conditions on the battlefield vary greatly from operation to operation and region to region, standardization can help ensure humane treatment and better intelligence collection. Additionally, when battlefield conditions permit, working and coordinating with Afghan officials enhances our ability to avoid conflict with cultural sensitivities, particularly concerning Afghan women and children.

b. Field detention facilities – there is no set structural standard for field detention sites. Some units use existing facilities where they can, while others build structures out of plywood or Hesco barriers. Consistent with CJTF-180 Detainee Handling Guidance, issued in February 2004 (Enclosure N), once transferred from the capture site, detainees should be housed in secured facilities that, as a minimum, has a living area big enough to stand up in and lay down without coming into contact with bare ground or another detainee, allows for direct sunlight to enter the confinement area, allows air to circulate into the cell area, provides overhead cover to prevent rain and snow from entering, and is located near a latrine. While some facilities were clearly better than others, only minor modifications needed to be made during the inspection to bring all facilities into

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compliance with acceptable standards. Detention operations at this point in the process are an inherent part of combat operations. Regional commanders and component commanders must take full responsibility for the conduct of these operations.

c. [REDACTED] - this facility was initially established using the EPW collection point standards in AR 190-8. While an outdoor facility, it provides for the basic needs of the detainees in a secure compound. As a temporary holding facility for detainees enroute to [REDACTED], detainees may be required to stay in this facility for long periods of time - up to several months. Overcrowding conditions at Bagram during the [REDACTED] holding facility rather than a temporary collection point. Provisions have been made for ICRC access and detainee interviews at the end of June 2004, and further facility enhancements are being programmed (Enclosure O).

} 1.4(a)(g)

[REDACTED]

} 1.4(a)(c)(g)

the minimum necessities for the long-term detention of detainees. Structural upgrades are required and plans are in place to improve the security and structural integrity of the facility, and an expansion plan is in place to handle projected increases in the detainee population. Environmental studies have also been conducted, and a final assessment by the US Army Center for Health Promotion and Preventative Medicine (CHPPM) has

[REDACTED]

} 1.4(a)(c)(g)

[REDACTED]

} 1.4(a)(c)(g)

failed to progress (see Enclosure D, paragraph 11.e).

f. Other detainee inputs - at both forward operating bases and the Bagram detention facility, detainees are brought into the system from a variety of sources. For example,

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# Exhibit Q

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Office of the Secretary Of Defense



Detainee  
Files

CHURCH REPORT/SASC CHURCH HEARING  
OSD 75661-65

~~SECRET~~

1 OF 3

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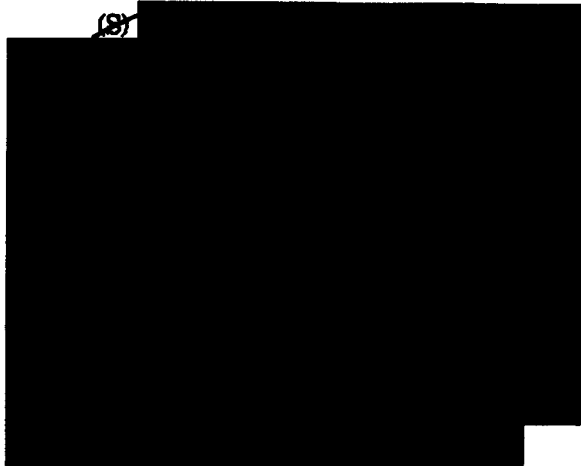
(SOSMSM)

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

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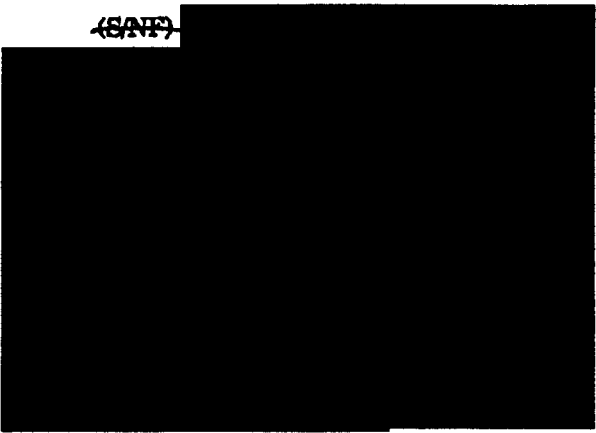
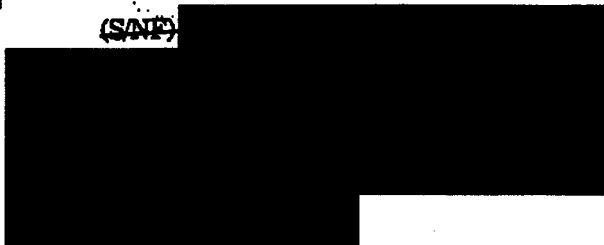
(b)(1)



sought based on intelligence information. Detainees are also captured in the immediate aftermath of attacks against U.S. or Afghan forces, if there is reason to suspect that the person has information pertaining to the attack, or which could help prevent future attacks. In addition, "cordon and sweep" operations have been conducted in areas known to harbor Taliban or al Qaeda elements in order to capture or kill those elements, or to gain intelligence about their location and activities.

**Detainee Flow From Point of Capture Through Detention (U)**

(U) Persons come into U.S. custody in Afghanistan through several means. First, there are a small number who were captured during traditional force-on-force fighting against Taliban or al Qaeda groups, or following the seizure of an enemy facility. Many of these detainees have since been transferred to GTMO. There are also detainees who were captured by opposition groups, such as the Northern Alliance, and transferred to U.S. control after being screened using the criteria described above. Finally, there are those who are picked up by U.S. forces in the course of ongoing operations, as described below. The majority of captured persons in Afghanistan now fall in the last category.



(b)(1)



(U) Ongoing operations by U.S. forces include raids in which specific personnel are

~~SECRET/NOFORN~~ - Afghanistan

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

# Exhibit R

## The Forgotten Guantanamo

# Prisoner Abuse Continues at Bagram Prison in Afghanistan

By *Matthias Gebauer, John Goetz and Britta Sandberg*

**US President Barack Obama has spoken out against CIA prisoner abuse and wants to close Guantanamo. But he tolerates the existence of Bagram military prison in Afghanistan, where more than 600 people are being held without charge. The facility makes Guantanamo look like a "nice hotel," in the words of one military prosecutor.**

The day that Raymond Azar was taken by force to Bagram was a quiet day in Kabul. There were no attacks and the sun was shining.

Azar, who is originally from Lebanon, is the manager of a construction company. He was on his way to Camp Eggers, the American military base near the presidential palace, when 10 armed FBI agents suddenly surrounded him.

The men, all wearing bulletproof vests, put him in handcuffs, tied him up and pushed him into an SUV. Two hours later, they unloaded Azar at the Bagram military prison 50 kilometers (31 miles) northeast of Kabul.

As Azar later testified, he was forced to sit for seven hours, his hands and feet tied to a chair. He spent the night in a cold metal container, and he received no food for 30 hours. He claimed that US military officers showed him photos of his wife and four children, telling him that unless he cooperated he would never see his family again. He also said that he was photographed while naked and then given a jumpsuit to wear.

### 'A Need for This Sort of Place'

On that day, April 7, 2009, President Barack Obama had been in office for exactly 77 days. Shortly after his inauguration, Obama had ordered the closing of the Guantanamo Bay detention center and ordered the CIA to give up its secret "black site" prisons. He wanted to shed the dark legacy of the Bush years -- there should be no torture any more, no more secret kidnapping operations of terrorism suspects, no renditions. At least, that was what Obama had promised. He did not mention Bagram in his speeches.

Azar was in Kabul on business. His company had signed contracts with the Pentagon worth \$50 million (€34 million) for reconstruction work in Afghanistan. On April 8, Azar was placed onto a Gulfstream and flown to the US state of Virginia to face charges. He was accused of having bribed his US Army contact to secure military contracts for his company, and he was later found guilty of bribery.

It was a classic case of corruption, which is not the sort of crime for which a suspect is normally sent to a military prison. No one can explain to Azar why he was taken to Bagram, where the US military treated him like a terrorism suspect and, in doing so, inadvertently provided him with an insight into a world it normally prefers to keep under wraps.

Bagram is "the forgotten second Guantanamo," says American military law expert Eugene Fidell, a professor at Yale Law School. "But apparently there is a continuing need for this sort of place even under the Obama administration."

From the beginning, "Bagram was worse than Guantanamo," says [New York-based attorney Tina Foster](#), who has argued several cases on behalf of detainee rights in US courts. "Bagram has always been a torture chamber."

And what does Obama say? Nothing. He never so much as mentions Bagram in any of his speeches. When discussing America's mistreatment of detainees, he only refers to Guantanamo.

### Classified Location

The Bagram detention facility, by now the largest American military prison outside the United States, is not marked on any maps. In fact, its precise location, somewhere on the periphery of the giant air base northeast of the Afghan capital, is classified. It comprises two sand-colored buildings that resemble airplane hangars, surrounded by tall concrete walls and green camouflage tarps. The facility was set up in 2002 as a temporary prison on the grounds of a former Soviet air base.



Today, the two buildings contain large cages, each with the capacity to hold 25 to 30 prisoners. Up to 1,000 detainees can be held at Bagram at any one time. The detainees sleep on mats, and there is one toilet behind a white curtain for each cage. A \$60 million extension is expected to be completed by the end of the year.

Unlike Guantanamo, Bagram is located in the middle of the Afghan war zone. But not all the inmates were captured in combat areas. Many terrorism suspects are from other countries and were transported to Bagram for interrogation after being captured. Since the military prison first came into operation, all the detainees there have been classified as "enemy combatants" rather than prisoners of war, which would make them subject to the provisions of the Geneva Convention.

Bagram's most prominent temporary detainee to date was Khalid Sheikh Mohammed, the self-proclaimed chief architect of the Sept. 11, 2001 terrorist attacks. After his arrest in Pakistan, Mohammed was initially taken to Bagram for three days and was then held at a secret prison in Poland before being flown to Guantanamo. He told representatives of the Red Cross that he was beaten in Afghanistan, suspended from shackles attached to his hands and sexually humiliated. "I was made to lie on the floor," he said. "A tube was inserted into my anus and water poured inside."

"In my view, having visited Guantanamo several times, the Bagram facility made Guantanamo look like a nice hotel," says military prosecutor Stuart Couch, who was given access to the interior of both facilities. "The men did not appear to be allowed to move around at will, they mostly sat in rows on the floor. It smelled like the "monkey house" at the zoo."

### **Sleep Deprivation and Sexual Humiliation**

From the beginning, Bagram was notorious for the brutal forms of torture employed there. Former inmates report incidents of sleep deprivation, beatings and various forms of sexual humiliation. In some cases, an interrogator would place his penis along the face of the detainee while he was being questioned. Other inmates were raped with sticks or threatened with anal sex.

Omar Khadr, a Canadian inmate who was 15 at the time, says military personal used him as a living mop. "Military police poured pine oil on the floor and on me. And then, with me lying on my stomach with my hands and feet cuffed together behind me, the military police dragged me back and forth through the mixture of urine and pine oil on the floor."

At least two men died during imprisonment. One of them, a 22-year-old taxi driver named Dilawar, was suspended by his hands from the ceiling for four days, during which US military personnel repeatedly beat his legs. Dilawar died on Dec. 10, 2002. In the autopsy report, a military doctor wrote that the tissue on his legs had basically been "pulpified." As it happens, his interrogators had already known -- and later testified -- that there was no evidence against Dilawar.

According to an internal military investigation of the prisoner abuse cases at Abu Ghraib prison in Iraq, which triggered worldwide outrage when it became public in 2004, the practices there were inspired by the treatment of inmates at Bagram.

### **Hundreds of Innocent Inmates**

To this day, there are hardly any photos from inside Bagram, and journalists have never been given access to the detention center. Although exact numbers are unknown, there are believed to be about 600 detainees at Bagram, or close to three times as many as there currently are at Guantanamo. According to an as-yet-unpublished 2009 Pentagon report, 400 of the Bagram inmates are innocent and could be released immediately.

The detainees at Bagram still have no right to an attorney, which means that they have no legal recourse against their imprisonment and no opportunity to testify in their cases. Some have been there for years, without knowing why.

Obama has announced new guidelines for the treatment of the Bagram detainees, which would require that a US military official provide assistance to each detainee -- not as an attorney but as a personal adviser of sorts. This representative could then review evidence and witness testimony for the first time, and could request that a review board examine the case.

### **Worst Abuse**

However attorney Tina Foster feels that the new initiative is just a cosmetic measure. "There is absolutely no difference between the Bush administration and the Obama administration's position with respect to Bagram detainees' rights," she says during an interview with SPIEGEL in her office in the New York borough of Queens.

Foster, a petite 34-year-old with dark brown eyes and black hair, took on the cases of Guantanamo detainees as an attorney with the New York-based Center for Constitutional Rights. That was before she discovered that the worst prisoner abuse happened long before the detainees arrived in Guantanamo -- at Bagram.

Since 2005, Foster has worked exclusively with Bagram cases. She has appeared in court to file habeas corpus petitions for three Bagram inmates. Normally, every prisoner is entitled to habeas corpus rights, which would give him the opportunity to petition a US court to investigate the reasons for his arrest.

### 'This Ugly Chapter of American History'

In early April of this year, a judge ruled in favor of Foster's petition, arguing that because her three clients, two Yemenis and a Tunisian, had not been "captured in a battlefield situation" in Afghanistan but instead had been taken to Bagram from a third country, they too had rights guaranteed by the US Constitution. "That was a huge success," says Foster.

Last Monday, the US Justice Department submitted a 64-page brief to the appeals court, challenging the decision. The Justice Department lawyers argued that, as a military prison in a combat zone, Bagram constitutes a special case.

Foster, who supported Obama during the campaign and then voted for him, is disappointed by her former idol. "When I heard his announcement to close Guantanamo, I breathed a sigh of relief that perhaps this extremely ugly chapter of American history was finally being put to an end," she says. "Unfortunately, since then, the Obama administration has completely failed in delivering the change that was promised."

### Left in the Snow

Foster plans to continue fighting for that cause, even though one of her clients, whose witness testimony figured prominently in her case, is now dead. Jawed Ahmad, who was also known as Jojo Yazemi, was a journalist working in Afghanistan for a Canadian television station. He was 22 when he was arrested in October 2007.

The Americans accused him of being in contact with the Taliban. They incarcerated Yazemi at Bagram, where he became just another "enemy combatant" -- detainee number 3,370. They left him standing in the snow for six hours, beat him, threatened him and submitted him to sleep deprivation for weeks. It was only after fellow journalists in New York launched a major media campaign in support of Yazemi that he was released -- after 11 months and without any explanation as to why he had been detained in the first place.

Just six months after his release, gunmen driving a white Toyota pickup truck, the kind favored by many Taliban, shot and killed Yazemi in Kandahar. "It was one of the most terrible moments of my life," says Tina Foster. "He was a great person and a friend." And he was also Foster's star witness in her case against Bagram.

*Translated from the German by Christopher Sultan*

### URL:

<http://www.spiegel.de/international/world/0,1518,650242,00.html>

### RELATED SPIEGEL ONLINE LINKS:

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[Searching for a Strategy: Obama Trips Over Bush Torture Legacy \(05/19/2009\)](http://www.spiegel.de/international/world/0,1518,625823,00.html)

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[A Test Case for Obama: After Guantanamo, What Next for Bagram? \(01/28/2009\)](http://www.spiegel.de/international/world/0,1518,604052,00.html)

[http://www.spiegel.de/international/world/0,1518,604052,00.html](http://www.spiegel.de/international/world/0,1518,548627,00.html)

[From the Archive: US Military Detains German Citizen in Afghanistan \(04/21/2008\)](http://www.spiegel.de/international/world/0,1518,548627,00.html)

[http://www.spiegel.de/international/world/0,1518,548627,00.html](http://www.spiegel.de/international/world/0,1518,k-6948,00.html)

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# Exhibit S

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# amnesty international

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## USA: Out of sight, out of mind, out of court? The right of Bagram detainees to judicial review

18 February 2009

AI Index: AMR 51/021/2009

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*Here is no human rights. We are suffering, our condition is too bad*  
Bagram detainee Wazir Mohammad, 2002<sup>1</sup>

*Federal courts should not thrust themselves into the extraordinary role of reviewing the military's conduct of active hostilities overseas, second-guessing the military's determination as to which captured alien as part of such hostilities should be detained, and in practical effect, superintending the Executive's conduct in waging a war... Petitioner places much emphasis on his allegations that he is a Yemeni citizen who was captured in Bangkok, Thailand, while on a trip there in December 2002, and that the Central Intelligence Agency detained him for some months before transferring him to US military custody in Bagram, Afghanistan... Petitioner's allegation that he was not captured on a battlefield in Afghanistan is immaterial..."*

US Justice Department, in the case of Amin al Bakri, Bagram detainee, 2008<sup>2</sup>

### 1. A judicial invitation to change course on Bagram detentions

On 22 January 2009, President Barack Obama signed three executive orders on detentions and interrogations. One of them committed his administration to closing the detention facility at the US Naval Base in Guantánamo Bay within a year, and directed officials to conduct an immediate review of all the cases of detainees currently held there to determine what should happen to them. Another order took substantial steps towards ending the use of secret detention and torture. The third set up an interagency task force to review the "lawful options" available to the US government with respect to the "apprehension, detention, trial, transfer, release, or other disposition of individuals captured or apprehended in connection with armed conflicts or counterterrorism operations". Amnesty International has welcomed the executive orders and has called on the new administration to ensure that the USA adopts laws and policies on detentions fully consistent with its international obligations. The organization has made a number of recommendations to this end, which it has sent to the new administration.<sup>3</sup>

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<sup>1</sup> USA: The threat of a bad example: Undermining international standards as 'war on terror' detentions continue, August 2003, <http://www.amnesty.org/en/library/info/AMR51/114/2003/e>.

<sup>2</sup> *Al Bakri v. Bush*, Respondents' motion to dismiss petition for writ of habeas corpus and complaint for declaratory and injunctive relief, In US District Court for the District of Columbia, 15 September 2008.

<sup>3</sup> See USA: The promise of real change. President Obama's executive orders on detentions and interrogations, 30 January 2009, <http://www.amnesty.org/en/library/info/AMR51/015/2009/en>. See also, Checklist for first 100 days, <http://www.amnesty.org/en/library/info/AMR51/117/2008/en>.

In an order issued on 22 January 2009, Judge Bates noted that the executive order on Guantánamo signed earlier that day indicated “significant changes to the government’s approach to the detention, and review of detention, of individuals currently held at Guantánamo Bay”. He wrote that “a different approach could impact the Court’s analysis of certain issues central to the resolution of these [Bagram] cases as well”. He therefore invited the new administration to inform him by 20 February 2009 whether it wished to “refine” the government’s position in the Bagram litigation. Depending on how the new administration replies to this invitation, Judge Bates “will decide whether further briefing or some other course is appropriate”.<sup>15</sup>

Amnesty International urges the new administration to adopt a position on all US detentions in Afghanistan fully consistent with its international obligations, including in relation to conditions of confinement, interrogation techniques, and procedural rights. This must include meaningful access by detainees to a means of challenging the lawfulness of their detention in fair hearings before independent courts, with the assistance of independent legal counsel. Any detainee who is found to be unlawfully held must be immediately released. Amnesty International also reiterates its call upon the new administration to abandon any vestiges of the global war paradigm used by the previous administration to deny respect for human rights, including the perpetration of secret detention, torture, secret transfers of detainees, and arbitrary detention.

## 2. A short history of detentions at Bagram airbase

Following the hearing in his court on 7 January 2009 – seven years after detentions in Bagram began – District Court Judge John Bates issued an order requiring the US government to disclose by 16 January 2009 the number of people being held in the Bagram airbase, how many of them were taken into custody outside of Afghanistan, and how many of them were Afghan nationals. He said that the government could file under seal any of the information that was classified. True to form for an administration that consistently exploited classification to keep from public scrutiny its detention and interrogation policies, the Bush administration filed a response to the order in which any detail of detainee numbers, nationalities, or where they were originally taken into custody was classified as secret and redacted from the unclassified version of the filing.<sup>16</sup>

Detentions at Bagram air base, located in Parwan province about 65 kilometres north of Kabul, began in January 2002. At the time, the detention facility at the US air base at Kandahar, which had opened in late 2001, held most of those in US custody in Afghanistan. For example, on 8 January 2002, three days before the first detainees landed at Guantánamo, there were 302 detainees in US custody at Kandahar, 38 at Bagram, 16 at Mazar-e Sharif,

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<sup>15</sup> On 22 January 2009, Judge Bates invited the new administration if it wanted to change its position on the Guantánamo detentions (specifically in relation to the definition of ‘enemy combatant’ being used in the habeas corpus proceedings). In its response on 9 February 2009, the Justice Department sought a delay, and Judge Bates extended the deadline to 13 March 2009 for the administration to respond on the definitional question.

<sup>16</sup> *Al Maqaleh v. Gates*. Declaration of Colonel Joe E. Etheridge, 15 January 2009. In the US District Court for DC, 16 January 2009.

and eight on the US Navy assault ship, the USS Bataan.<sup>17</sup> A communication within the Department of State dated 24 January 2002 stated that “Bagram is a temporary ‘collection center’ where some detainees stop over enroute to their permanent location”, and revealed that 27 detainees of nine nationalities were then being held at Bagram, where there were plans “to construct accommodations for 75 detainees”.<sup>18</sup> In May 2002, Bagram was designated as the “primary collection and interrogation point”, while Kandahar continued to function as a “short term detention facility” to which the ICRC no longer had access.<sup>19</sup> With transfers to Guantánamo continuing apace, the detainee population in Bagram remained low for most of 2002.<sup>20</sup>

After the USA stopped using Kandahar air force base as a major detention facility in June 2002, and as transfers to Guantánamo tailed off from late 2003, the numbers of detainees held in Bagram rose. The ICRC noted in 2006 that while detainees were initially held in Bagram for limited periods, “since mid-2003 many have been detained there for longer periods, in some cases for more than two years”.<sup>21</sup> The Jacoby military review in 2004 noted that many “low level enemy combatants (LLECs)” had “already been detained in the Bagram Collection Point for extensive periods” and had “little chance for release in the foreseeable future”.<sup>22</sup> The four detainees whose habeas corpus petitions were before Judge Bates in District Court in February 2009 had all been held in Bagram for more than five years.

By May 2004, the number of detainees in Bagram was around 300, about half the number held in Guantánamo at that time. In July 2004, “due to a growing detainee population”, the Kandahar detention facility was “re-designated as a collection point” and began holding detainees for longer periods of time.<sup>23</sup> The ICRC was granted access to the facility and by April 2005 was visiting around 70 detainees who were being held there. The humanitarian organization stopped visiting the Kandahar facility in July 2005 after it was informed by the US authorities that the base would no longer hold detainees.<sup>24</sup> The detainees in Kandahar were transferred to Bagram.

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<sup>17</sup> Department of Defense News Briefing – General Richard B. Myers, 8 January 2002.

<http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=1082>

<sup>18</sup> Information memorandum on nationalities at Bagram, to The Deputy Secretary from PM – Gregory M. Suchan, Acting. 24 January 2002. (DOS-000059). The nine nationalities were Yemeni (10); Afghani (4); Pakistani (1); Kuwaiti (2); Saudi Arabian (5); Tunisian (2); Egyptian (1); Palestinian (1) and Moroccan (1). A handwritten note on the memo by Deputy Secretary of State Richard Armitage reads: “Greg, What happened to the Uighurs?” Seven years later, 17 Uighurs remained in Guantánamo, see USA: Indefinite detention by litigation: ‘Monstrous absurdity’ continues as Uighurs remain in Guantánamo, 12 November 2008, <http://www.amnesty.org/en/library/info/AMR51/136/2008/en>.

<sup>19</sup> Review of Department of Defence Detainee Operations and Detainee Interrogation Techniques. Conducted by US Navy Vice Admiral A.T. Church III. Submitted to Secretary of Defense, 7 March 2005 (the Church report), page 185-6.

<sup>20</sup> On 29 October 2002, for example, General Tommy Franks, Commander, US Central Command, said: We just shipped about – between 20 and 25 to Guantánamo Bay over the last few days... If my memory serves, that number of 20 to 30 that we have – detainees that we have in Bagram probably represents between six and 10 nations in terms of the nationality of those detainees”. General Franks Briefs at the Pentagon, 29 October 2002, <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=3800>.

<sup>21</sup> Families of detainees in Guantánamo and Bagram desperate for news, April 2006, *op. cit.*

<sup>22</sup> Special inspection of detainee operations and facilities in the Combined Forces Command-Afghanistan, led by Brigadier General Chuck Jacoby. 2004 (Jacoby report).

<sup>23</sup> Church report, *op. cit.*, page 185.

In March 2005, the ICRC had revealed that it remained concerned that its “observations regarding certain aspects of the conditions of detention and treatment of detainees in Bagram and Guantánamo have not yet been adequately addressed”.<sup>25</sup> By mid-2005 there were between 450 and 500 detainees held in Bagram. In August 2005, the authorities indicated that about 350 of them were Afghan nationals, which would suggest that 100 or more detainees of other nationalities were held at Bagram at that time.<sup>26</sup> In an interview in December 2005, Afghan national Haji Mohamed Rafik told Amnesty International that he had seen many detainees from other countries when he was held in Bagram from late 2004 to July 2005. He also said that he had seen a female detainee kept in a separate cell in the detention facility when he was there.

The US government reported to the UN Committee on Torture and UN Human Rights Committee in 2006 that, as of 20 February 2006, there were “approximately 400” detainees in US facilities in Afghanistan, apparently down from 2005 totals. However, the detainee population at Bagram proceeded to rise and reached around 600 in mid-2006 and 660 in May 2007. By July 2008 there were about 600 detainees in the base, more than twice as many as were then held in Guantánamo.

The detainees in Bagram have never been a homogenous group, but have comprised individuals of different nationalities who have been picked up from a variety of locations and in different circumstances, including in faraway countries and in situations other than armed conflict. A March 2005 US military review of detentions (the Church report) stated that “persons came into US custody in Afghanistan through several means”. Only a “small number... were captured during traditional force-on-force fighting against Taliban or al Qaeda groups, or following the seizure of an enemy facility”, and “many of these detainees have since been transferred to GTMO [Guantánamo]”. Others were “captured by opposition groups, such as the Northern Alliance, and transferred to US control”. Yet others were taken into detention following operations in which “specific personnel are sought based on intelligence information”, or “in the immediate aftermath of attacks against US or Afghan forces, if there is reason to suspect that the person has information pertaining to the attack, or which could help to prevent future attacks”. “Cordon and sweep” operations in areas “known to harbour Taliban or al Qaeda elements” also resulted in detentions. The Jacoby military review in 2004 noted that detainees were brought to Bagram “from a variety of sources”, often from “non-DoD [US Department of Defense] sources”. It indicated that the basis for US detentions in Afghanistan was “often poorly documented”, and that in some locations “cordon and search operations yield large numbers of detainees without apparent application of specific criteria”.<sup>27</sup> The 2004 Jacoby military review referred to “overcrowding conditions” at Bagram, but the detail remained classified as secret.

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<sup>24</sup> Jawed Ahmed, an Afghan journalist, has said that he was held in Kandahar for several days in October 2007 before being transferred to Bagram (see further below). US forces in Kandahar use Kandahar air base as well as Firebase Gecko (now known as Maholic) to hold detainees.

<sup>25</sup> ICRC operational update, 29 March 2005.

<sup>26</sup> “There’s approximately 110 Afghan detainees under US control in Guantánamo and somewhere around 350, I believe, that are at the facility at Bagram.” Defense Department operational update briefing on Afghanistan, 4 August 2005, <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=3068>

<sup>27</sup> Jacoby report, *op. cit.*



Amnesty International wrote to the US administration in April 2002 raising allegations of ill-treatment of detainees in US custody in Afghanistan, but never received a response.<sup>28</sup> It is now known that detainees at Bagram airbase were subjected to torture or other ill-treatment, particularly in the 2002 to 2005 period.<sup>29</sup> Early on in Operation Enduring Freedom, the “dedicated US [military] interrogation personnel” who began arriving in the Afghanistan theatre of operations from late November 2001 relied upon US Army Field Manual FM 34-52. These interrogators “took so literally FM 34-52’s suggestion to be creative that they strayed significantly from a plain-language reading of FM 34-52” and developed techniques that “went well beyond” those authorized in the manual.<sup>30</sup> For example, forced nudity was used by interrogators against detainees as a variation of the FM 34-52 technique of “ego down”. It was also used as a “control” technique by military guards.<sup>31</sup>

In an interview in Kabul in July 2003, Afghan national Alif Khan told Amnesty International that he had been held in US custody in Bagram for five days in May 2002, prior to his transfer to Kandahar and Guantánamo. He said that he was held in handcuffs, waist chains, and leg shackles for the whole time, subjected to sleep deprivation, denied water for prayer and ablution, and interrogated once or twice a day. He was kept in a cage-like structure with eight people, and no speaking was allowed between the detainees. Another Afghan national Sayed Abbasin, recalled to Amnesty International in May 2003 the 40 days he had spent in US custody in Bagram in mid 2002. He said that he had not been hit by anybody, but that he had been forced to stand, sit and kneel. He described how being forced to kneel for four hours a day felt worse than being beaten. He described a regime of sleep deprivation – 24-hour lighting and guards banging on cells and shouting to keep detainees awake.<sup>32</sup> Moazzam Begg, a UK national who was abducted in January 2002 from Pakistan by US agents, was taken to Bagram where he said he was subjected to “pernicious threats of torture, actual vindictive torture and death threats – amongst other coercively employed interrogation techniques”. He alleged that he was interrogated “in an environment of generated fear, resonant with terrifying screams of fellow detainees facing similar methods. In this atmosphere of severe antipathy towards detainees was the compounded use of racially and religiously prejudicial taunts.”<sup>33</sup>

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<sup>28</sup> See Memorandum to the US Government on the rights of people in US custody in Afghanistan and Guantánamo Bay, April 2002, <http://www.amnesty.org/en/library/info/AMR51/053/2002/en>, and page 8 of USA: Human dignity denied: Torture and accountability in the ‘war on terror’, October 2004, <http://www.amnesty.org/en/library/info/AMR51/145/2004/en>.

<sup>29</sup> With the passage of the USA’s Detainee Treatment Act in 2005 and the 2006 revisions of the US Army Field Manual on interrogations, there are greater protections than earlier under US law and policy for detainees in US military custody (see further below). However, to what extent current detention conditions and interrogation techniques employed in Bagram are consistent with international law cannot be properly determined without independent access by human rights monitors to the detention facility and detainees held there.

<sup>30</sup> Church report, *op. cit.* page 196.

<sup>31</sup> AR 15-6 Investigation of Intelligence Activities at Abu Ghraib. Conducted by Major General George R. Fay and Lieutenant General Anthony R. Jones. Page 88

<sup>32</sup> See USA: The threat of a bad example: Undermining international standards as ‘war on terror’ detentions continue, August 2003, <http://www.amnesty.org/en/library/info/AMR51/114/2003/e>.

<sup>33</sup> Letter from Moazzam Begg, Guantánamo Bay, copied among others to Amnesty International, dated 12 July 2004. [http://news.bbc.co.uk/nol/shared/bsp/hi/pdfs/01\\_10\\_04.pdf](http://news.bbc.co.uk/nol/shared/bsp/hi/pdfs/01_10_04.pdf).

Such allegations were routinely dismissed by the Bush administration with its increasingly hollow mantra that all detainees in US custody were being treated “humanely”.<sup>34</sup>

In January 2002, the then White House Counsel had drafted a memorandum to President Bush suggesting that a determination that the Geneva Conventions did not apply to those captured or held in Afghanistan would free up US interrogators and make their prosecution for war crimes under US law less likely.<sup>35</sup> In February 2002, President Bush issued a directive that no-one taken into custody in Afghanistan would qualify for prisoner of war status and that Article 3 common to the four Geneva Conventions – prohibiting torture and other ill-treatment, among other things – would not apply to them either. A previously classified 2003 legal opinion to the Pentagon from the US Justice Department on the military interrogation of “alien enemy combatants” held outside the USA advised that even “if interrogation methods were inconsistent with the United States’ obligations under [the UN Convention against Torture], but were justified by necessity or self-defense, we would view these actions still as consistent ultimately with international law”.<sup>36</sup>

Bisher al-Rawi, an Iraqi national and UK resident seized in Gambia in late 2002 and transferred to Guantánamo via Afghanistan, told his Combatant Status Review Tribunal hearing in Guantánamo in September 2004 that “we were taken from Gambia to Kabul and then to Bagram Airbase. In Bagram, I provided information only after I was subjected to sleep deprivation, and various threats were made against me.”<sup>37</sup> The recently released minutes of a meeting in October 2002 involving military and other lawyers and officials discussing the development of interrogation techniques for use in Guantánamo noted that there were “many reports from Bagram about sleep deprivation being used”. In line with the official public relations message that all detainees in US custody were being treated “humanely”, the meeting noted that “officially it is not happening”. A senior CIA lawyer present at the meeting, who noted that the USA’s reservations to its ratification of the UN Convention against Torture gave interrogators “more license to use more controversial techniques”, offered the notion that the interrogations were only limited to the criterion that “if the detainee dies you’re doing it wrong”.<sup>38</sup>

In December 2002, two Afghan men, Dilawar and Mullah Habibullah, died in custody at Bagram. Leaked and eventually declassified passages of official investigative reports into their deaths point to a terrifying final few days in the lives of these two men, subjected to cruelty and brutality by numerous US personnel. Declassified passages of the Church report released under Freedom of Information Act (FOIA) litigation in June 2006, for example, stated that:

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<sup>34</sup> Amnesty International’s request in April 2003 to visit detainees held in Bagram was rejected by the Pentagon in a letter asserting that the detainees “continue to be treated humanely”.

<sup>35</sup> Memorandum for the President from Alberto R. Gonzales. Decision re application of the Geneva Convention on Prisoners of War to the conflict with al Qaeda and the Taliban. Draft 25 January 2002.

<sup>36</sup> Military interrogation of alien unlawful combatants held outside the United States. Memorandum for William J. Haynes II, General Counsel of the Department of Defense, signed by John C. Yoo, Deputy Assistant Attorney General, Office of Legal Counsel, US Department of Justice, 14 March 2003.

<sup>37</sup> USA: Guantánamo and beyond: The continuing pursuit of unchecked executive power, May 2005, <http://www.amnesty.org/en/library/info/AMR51/063/2005/en>.

<sup>38</sup> Counter Resistance Strategy meeting minutes, 2 October 2002. The minutes paraphrase the interventions made by participants at the meeting.

“These techniques – sleep deprivation, the use of scenarios designed to convince the detainee that death or severely painful consequences are imminent for him and/or his family, and beating – are alleged to have been used in the incidents leading to the two deaths at Bagram in December 2002.... The patterns of detainee abuse in these two incidents share some similarities. In both cases, for example, the [detainees] were handcuffed to fixed objects to keep them awake. Additionally, interrogations in both incidents involved the use of physical violence, including kicking, beating and the use of ‘compliance blows’ which involved striking the [detainees’] legs with the MP’s [Military Police guard’s] knee. In both cases, blunt force trauma to the legs was implicated in the deaths.”<sup>39</sup>

Dilawar, a taxi driver, was kept chained to the ceiling of his cell for much of a four-day period, hooded for most if not all of the time. At times, his pleas for water were denied. Under interrogation, unable to hold his handcuffed hands above his head as he was ordered, a soldier would hit them back up whenever they began to drop. He was physically assaulted during interrogation. He was estimated in one 24-hour period to have been struck over 100 times with blows to the side of the leg just above the knee. His legs, according to one coroner, “had basically been pulpified”. The coroner who conducted the autopsy later stated that she had “seen similar injuries in an individual run over by a bus”.<sup>40</sup>

A US Army Major with an oversight role in the Combined Joint Task Force-180 (CJTF-180) had “identified questionable practices a month prior to the deaths” but “did not ensure corrective action was taken”. A passage of the Church report declassified and released in February 2009, reveals that in February 2003, the CJTF-180 Commander prohibited “several interrogation techniques implicated in the detainee deaths”, including “the practices of handcuffing the detainee as a means of enforcing sleep deprivation; hooding a detainee during questioning; and any form of physical contact used for the purposes of interrogation”. Some of these techniques were “revived without explanation” in March 2004, and three months later, interrogation policy being used by US forces in Iraq was adopted.<sup>41</sup>

Two days before the first of the two deaths in Bagram, then US Secretary of Defense Donald Rumsfeld had authorized aggressive interrogation techniques for use at Guantánamo – including prolonged isolation, stripping, hooding, exploitation of phobias, and stress position. Shortly after this, the authorized techniques “became known to interrogators in Afghanistan”, according to the US Senate Armed Services Committee in December 2008. Indeed, in January 2003, the Officer in Charge of the Intelligence Section at Bagram had seen a presentation listing the techniques that had been authorized by Secretary Rumsfeld. Towards the end of that month, the Staff Judge Advocate for CJTF-180 in Afghanistan produced a memorandum

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<sup>39</sup> Church report, *op. cit.* Pages 228 and 235.

<sup>40</sup> See US detentions in Afghanistan: an aide-mémoire for continued action, June 2005, <http://www.amnesty.org/en/library/info/AMR51/093/2005/en>. [By 2006](#), seven low-ranking soldiers, charged variously with assault, maltreatment, dereliction of duty and making false statements had received sentences ranging from five months’ imprisonment to reprimand, loss of pay and reduction in rank. See USA: Amnesty International’s supplementary briefing to the UN Committee against Torture, May 2006, <http://www.amnesty.org/en/library/info/AMR51/061/2006/en>.

<sup>41</sup> Church report, *op. cit.*, pages 196 and 236.

on “interrogation techniques”. This remains classified, but included discussion of stripping of detainees and exploiting the fear of dogs.<sup>42</sup>

Torture or other ill-treatment of detainees continued even after the deaths of Dilawar and Mullah Habibullah drew widespread public concern. Afghan national ‘Ala Nour alleged that after he was taken to Bagram in late 2003 (which he said had followed beatings during interrogations at a US forward operating base) he had been threatened with dogs, stripped, blasted with cold water, given a jumpsuit and put in a cell with 12 other people, with a plastic bucket in the corner for a toilet. He said that he was interrogated some 22 times in Bagram, each time shackled and handcuffed. He was released after about five months, during which time he said that he had met with the ICRC once. Another Afghan national, Haji Mohamed Rafik, said that he had been held in Bagram from October 2004 to July 2005, and that for the first five months had been held in an ‘individual’ cell and prohibited from talking to other detainees, before being put in a ‘cage’ with 14 other detainees. He said that he would have complained to the ICRC about long-term sleep deprivation, but did not because US soldiers were always present with the ICRC delegation. Another Afghan national, Mohammed Anwar, was held in Bagram from October 2004 to May 2005. He told Amnesty International that his treatment by US forces in Bagram had been very bad, and had included stripping and curtailment of religious practices, and that there was “no human behaviour there”. Haji Zaher, an Afghan national held in Bagram in late 2004 said that talking to fellow detainees resulted in punitive isolation in a small ‘cage’. He said that he had been interrogated nine times: “They told me that I was not able to see my family, my mother and father. I could not see my children if I didn’t given them information. They said that I will be staying in prison for many years and that I will die in here. So all the time, they put pressure on me in this way to confess to something that they wished”. He said that this included the threat of transfer to Guantánamo where he would be held for the rest of his life if he did not cooperate.<sup>43</sup>

A 2004 US military report into abuses against detainees in US custody in Iraq noted that “non-doctrinal” interrogation techniques were developed and approved for use in Afghanistan and Guantánamo “as part of the Global War on Terrorism”. From 2002 US interrogators in Afghanistan were stripping detainees, “isolating people for long periods of time, using stress positions, exploiting fear of dogs and implementing sleep and light deprivation.”<sup>44</sup> In December 2008, the US Senate Armed Services Committee concluded that Secretary of Defense Rumsfeld’s December 2002 authorization of such interrogation techniques for use at Guantánamo was not only “a direct cause of abuse” at Guantánamo, but had contributed to abuse of detainees in US custody in Afghanistan and Iraq.<sup>45</sup> The Committee stated that the US administration’s authorization of aggressive interrogation techniques, plans and policies had “conveyed the message that physical pressures and degradation were appropriate treatment for detainees in US military custody”. Bagram was one location where this message became reality.

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<sup>42</sup> Senate Armed Services Committee inquiry into the treatment of detainees in US custody. Executive summary and conclusions, released in December 2008, <http://levin.senate.gov/newsroom/supporting/2008/Detainees.121108.pdf>.

<sup>43</sup> Information in this paragraph taken from interviews of former detainees by Amnesty International in Afghanistan in December 2005.

<sup>44</sup> AR 15-6 Investigation of Intelligence Activities at Abu Ghraib, *op. cit.*

<sup>45</sup> Senate Armed Services Committee inquiry into the treatment of detainees, *op. cit.*

Agents of the Federal Bureau of Investigation (FBI) deployed to Afghanistan between late 2001 and the end of 2004 reported personally observing military interrogators in Bagram and elsewhere employing stripping of detainees, sleep deprivation, threats of death or pain, threats against the detainee's family members, prolonged use of shackles, stress positions, hooding and blindfolding other than for transportation, use of loud music, use of strobe lights or darkness, extended isolation, forced cell extractions, use of and threats of use of dogs to induce fear, forcible shaving for the purposes of humiliating detainees, holding unregistered detainees, sending detainees to other countries for "more aggressive" interrogation and threatening to do this.<sup>46</sup>

Even child detainees were not spared. Omar Khadr, who was held in Bagram for some three months from late July 2002 when he was 15 years old, has described being subjected to such ill-treatment in Bagram and has also said that he "would always hear people screaming, both day and night. Sometimes it would be the interrogators [censored], and sometimes it was the prisoners screaming from their treatment... Most people would not talk about what had been done to them. This made me afraid". He has said that "while detained in Bagram, I was held with other adult detainees in a building like an airplane hangar with some chicken-wire fencing dividing the prisoner area and some wooden plank dividers or walls for separate prisoner areas. I was still on a stretcher and still had holes in my body and stitching. I was kept with all the adult prisoners".<sup>47</sup> Another child detainee held in Bagram for seven weeks in late 2002 and early 2003, Afghan national Mohammed Jawad, has alleged that he was subjected to isolation, forced standing, stress positions, and physical assaults as part of the interrogation process in the airbase. He has described his detention in isolation cells on the second floor of the detention facility, in which he was kept handcuffed and hooded and subjected to sleep deprivation.<sup>48</sup> Both Khadr and Jawad remain in Guantánamo as of February 2009, with the lawfulness of their detentions still not having been judicially reviewed on the merits, and without accountability or remedy for the abuses they have endured in US custody.

It has only been since September 2006, nearly five years after detentions began at Bagram, that the USA has applied the baseline standard of Common Article 3 to the Geneva Conventions to the treatment of detainees held in US military custody. The Pentagon's detainee policy now includes the requirement that all those in US military custody "will be respected as human beings" and that "inhumane treatment of detainees is prohibited and is not justified by the stress of combat or deep provocation".<sup>49</sup> Under the Detainee Treatment Act, individuals held in Department of Defense (DoD) detention or by other agencies in DoD facilities (of which Bagram is one) must not be subjected to any treatment not authorized by

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<sup>46</sup> A review of the FBI's involvement in and observations of detainee interrogations in Guantánamo Bay, Afghanistan, and Iraq. Oversight and Review Division, Office of the Inspector General, US Department of Justice, May 2008.

<sup>47</sup> USA: In whose best interests? Omar Khadr, child 'enemy combatant' facing military commission, April 2008, <http://www.amnesty.org/en/library/info/AMR51/028/2008/en>.

<sup>48</sup> See USA: From ill-treatment to unfair trial. The case of Mohammed Jawad, child 'enemy combatant', August 2008, <http://www.amnesty.org/en/library/info/AMR51/091/2008/en>.

<sup>49</sup> Department of Defense Directive 2310.01E, The Department of Defense Detainee Program. 5 September 2006. This directive was issued after the US Supreme Court found for the applicability of Common Article 3 (*Hamdan v. Rumsfeld*, June 2006).

the Army Field Manual, the latest version of which was issued in September 2006.<sup>50</sup> The US administration has described the manual as “the gold standard in terms of how prisoners and detainees will be treated”, one that is “far above the baseline standard set by Common Article 3”.<sup>51</sup> However, Amnesty International has concerns that parts of the manual are in fact inconsistent with the prohibition of torture and other ill-treatment. For example, Appendix M of the Manual provides for an interrogation method described as “physical separation” (e.g. solitary confinement), initially for 30 days, but with provisions for unlimited extensions. At the same time, the Manual states that the use of separation must “not preclude the detainee getting four hours of continuous sleep every 24 hours.” Again there are no limitations placed on this, meaning that such limited sleep could become a part of the 30-day separation regime, and extendable indefinitely. Furthermore, and even after President Obama’s executive order on interrogations signed on 22 January 2009, the USA appears still to fail to recognize that the International Covenant on Civil and Political Rights also applies to all its actions, and the actions of the Afghan government, in Afghanistan.<sup>52</sup>

In any event, without independent oversight of detentions or access to detainees, either by courts, legal counsel or human rights monitors, how this recent policy and law has translated into action in Bagram remains publicly unknown. There have been allegations that have raised concerns in this regard. According to the *New York Times* in January 2008, for example, a confidential ICRC memorandum the previous summer complained that dozens of detainees had been hidden from the ICRC in secret isolation cells at Bagram, some held there for months before being moved into the main facility and registered. Harsh interrogation techniques were allegedly employed against the detainees held incommunicado there.<sup>53</sup> The memorandum apparently referred to in this article was released under FOIA litigation in February 2009. Dated 25 July 2007, and entitled ‘ICRC report of undisclosed detention facility at Bagram airfield, Afghanistan’, the entirety of the text is redacted (blacked out).<sup>54</sup>

Allegations of ill-treatment made in a sworn declaration given by Jawed Ahmad, an Afghan journalist released from Bagram in September 2008 also give cause for concern. The previous administration said that it “[took] issue with many of the allegations contained in the declaration”, without providing any further detail of which parts it disagreed with.<sup>55</sup> Amnesty International is not in a position to verify Jawed Ahmad’s allegations, but considers that the US authorities must ensure an independent investigation into them, make public the findings of such an investigation and, if warranted, ensure that any perpetrators are brought to justice.

Jawed Ahmad is a 22-year-old Afghan national who was detained in Bagram from 26 October 2007 to 21 September 2008.<sup>56</sup> At the time he was taken into custody, he was working as a journalist for Canadian Television (CTV) News, a division of a private Canadian television

<sup>50</sup> DTA §1002(a). The Army Field Manual is FM 2-22.3 Human Intelligence Collection Operations.

<sup>51</sup> Transcript of conference call with senior administration officials on the executive order interpreting common Article 3, 20 July 2007, <http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/07-20-2007/0004629772&EDATE>.

<sup>52</sup> See USA: The promise of real change, *op. cit.*, n.3.

<sup>53</sup> Defying US plan, prison expands in Afghanistan, *New York Times*, 7 January 2008.

<sup>54</sup> Memorandum available at 43 of <http://www.ccrjustice.org/files/2009-02-02%20DOD%20JS%20Release%20-%20pg%201-43.pdf>.

<sup>55</sup> *Wazir v. Gates*, Reply to petitioner’s opposition to respondent’s motion to dismiss for lack of subject matter jurisdiction, In US District Court for DC, 17 November 2008.

network. As part of his work reporting on the conflict in and around Kandahar, he had regular contact with local Taliban leaders. He has said that he was arrested at the US air base in Kandahar after he went there by appointment to meet a public affairs official. Jawed Ahmad has described being held for nine days in a Kandahar detention facility, subjected to around two dozen interrogations. Accused by his interrogators of working for the Taliban, he has alleged that he was kicked, subjected to verbal abuse, sleep deprivation, threats to his family, and that he would be transferred to Guantánamo.

After nine days, Jawed Ahmad alleges, his head was shaved, he was dressed in an orange jumpsuit and told he was being flown to Guantánamo. In fact he was flown to Bagram, where he would be held for the next 11 months. Upon arrival he says that he was made to stand barefoot in the snow for six hours, and forced to stand up when he fell down. Eventually taken inside the detention facility, he says he was taken to an isolation cell for the next 18 days, and subjected to repeated interrogations. He says that he was interrogated more than 100 times in Bagram, and that he was subjected to sleep deprivation, exposure to extreme cold, and beatings.

Acting through Jawed Ahmad's father as "next friend", US lawyers filed a habeas corpus petition in US District Court in June 2008 shortly before the *Boumediene* ruling was handed down by the Supreme Court. In the event, the petition was dismissed as moot as Jawed Ahmad was released in the following September.<sup>57</sup> Jawed Ahmad was denied access to legal counsel for the entire time he was held in custody, and says that he was not given a hearing of any kind.

In earlier years, perhaps Jawed Ahmad would have been transferred to Guantánamo, where detainees are now recognized by the US Supreme Court as having the constitutional right to habeas corpus review. The all-but last transfers to Guantánamo from Afghanistan occurred on 22 September 2004, a few weeks after the US Supreme Court made the first of its landmark rulings on the Guantánamo detentions – finding that the US federal courts had jurisdiction to consider habeas corpus petitions from the Guantánamo detainees (*Rasul v. Bush*).<sup>58</sup> In its October 2003 brief arguing for the Court not to take such a decision, the government suggested that "any judicial review of the military's operations at Guantánamo would directly intrude on those important intelligence-gathering operations. Moreover, any judicial demand that the Guantánamo detainees be granted access to counsel to maintain a habeas action

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<sup>56</sup> Unless otherwise stated, the allegations relating to his detention in Bagram are taken from Jawed Ahmad's declaration, dated 3 November 2008, filed in the US District Court for DC in *Wazir v. Gates*.

<sup>57</sup> On 23 September 2008, the US Justice Department filed notice in the District Court that on 21 September 2008 the USA had "relinquished all legal and physical custody" of Jawed Ahmad and "transferred him to the Government of Afghanistan for release". The District Court Judge dismissed the case on 7 November 2008.

<sup>58</sup> After the 22 September 2004 transfer of 10 detainees from Afghanistan to Guantánamo, there were no further transfers to the naval base announced by the US authorities until 6 September 2006 when President Bush revealed that 14 "high-value" detainees had been transferred from secret CIA custody in unknown locations to Guantánamo. The administration exploited the cases of the 14 to obtain the Military Commissions Act. From the time of these 14 transfers until the *Boumediene* ruling in 2008, a period during which the administration sought to end habeas corpus review for "enemy combatants" in the name of national security, it transferred a further six detainees to Guantánamo from unknown locations, including at least two who had been held in secret CIA custody. Announcing each transfer, the Pentagon emphasised the alleged dangerousness of the detainee being transferred.



would in all likelihood put an end to those operations”.<sup>59</sup> Its argument to keep Guantánamo as a judiciary-free zone was rejected by the Supreme Court. With the administration’s original reason for holding detainees in Guantánamo thereby damaged by the *Rasul* ruling, albeit not yet terminally, the Bagram detainee population began to grow, and the Guantánamo detainee population to decline. At the time of the *Rasul* ruling in 2004, there were around 600 detainees in Guantánamo and about 300 in Bagram. When the *Boumediene* ruling was handed down in 2008 there were about 270 detainees in Guantánamo and about 650 in Bagram.

### 3. Current non-judicial review of Bagram detentions is inadequate

Everyone has the right to liberty and security of person.<sup>60</sup> A government may only arrest, detain or imprison a person strictly in accordance with the law.<sup>61</sup> Arbitrary detention, the antithesis of this legal obligation, is absolutely prohibited under international human rights law, which applies at all times. The notion of arbitrariness of detention under human rights law, in accordance with the UN Human Rights Committee’s “constant jurisprudence”, is “not to be equated with ‘against the law’, but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law”.<sup>62</sup> Detainee access to a court to challenge the lawfulness of detention is a basic requirement of international human rights law. No-one may be denied effective remedy for conditions of detention or treatment that violate their rights, such as the right to be free from torture or other ill-treatment.<sup>63</sup> Among the Bagram detainees whose habeas corpus petitions are currently before Judge Bates in the US District Court are individuals who were allegedly subjected to enforced disappearance prior to being taken to Bagram. Enforced disappearance, like torture, is a crime under international law. Remedy and accountability remain absent in such cases.

Even where it does apply, international humanitarian law (the law of war) does not displace international human rights law. Rather, the two bodies of law complement each other. The International Court of Justice (ICJ) has stated that: “The protection of the International Covenant on Civil and Political Rights [ICCPR] does not cease in times of war, except by operation of Article 4 of the Covenant whereby certain provisions may be derogated from in a time of national emergency.” More recently, the ICJ has reiterated that: “More generally, the Court considers that the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation...” The USA has made no such derogation, and even if it had, a number of fundamental human rights provisions are non-derogable, as is the right to access to a court to the extent necessary to protect other rights which are expressly non-derogable (see further below).

The UN Human Rights Committee has stated: “The [ICCPR] applies also in situations of armed conflict to which the rules of international humanitarian law are applicable. While, in respect of certain Covenant rights, more specific rules of international humanitarian law may be specially relevant for the purposes of the interpretation of Covenant rights, both spheres of law

<sup>59</sup> *Rasul v Bush*, Brief for the respondents in opposition, US Supreme Court, October 2003.

<sup>60</sup> E.g., Article 3, Universal Declaration of Human Rights; Article 9, International Covenant on Civil and Political Rights (ICCPR).

<sup>61</sup> Article 9, ICCPR. Principle 2, United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

<sup>62</sup> Communication No 1128/2002: Angola. UN Doc: CCPR/C/83/D/1128/2002.

<sup>63</sup> E.g. Article 2, ICCPR



# Exhibit T

*The Open Society Institute's  
Regional Policy Initiative on Afghanistan and Pakistan*

## **Strangers at the Door**

**Night Raids by International Forces Lose Hearts and Minds of Afghans**



A case study by the Open Society Institute and The Liaison Office

February 23, 2010

**Strangers at the Door:  
Night Raids by International Forces Lose Hearts and Minds of Afghans**

**Executive Summary**

Afghan civilians have increasingly borne the brunt of the war in Afghanistan. Though insurgents have been responsible for most of the harm, the Afghan public has largely directed their frustration and anger at international forces. International forces have made significant efforts to address this anger by improving their conduct, in particular reducing civilian deaths due to airstrikes. One practice, however, that has changed little is the search and seizure operations known as night raids.

Research conducted by the Open Society Institute (OSI) and the Afghan nongovernmental organization, The Liaison Office (TLO), shows that these raids are widely associated with abuse and impunity. Night raids cause tremendous trauma within Afghan communities, often alienating the very people whom international forces are supposedly trying to protect. During night raids, international and Afghan soldiers force entry into local homes and search the premises after dark, often detaining many, if not all, of the men present.

Given the international community's commitment to stabilizing Afghanistan by winning local trust and cooperation, night raids present a serious stumbling block. Afghans' negative perceptions of international military actors will not change as long as abuses associated with night raids continue.

From September to December 2009, OSI and TLO conducted a study in the conflict-prone southeastern provinces of Paktia and Khost to understand how Afghan communities viewed international forces and whether they considered new military policy reforms to be effective. Though the study focused on two provinces, similar responses have been documented in other regions of Afghanistan, suggesting a widespread, consistent problem.

While conducting night searches may provide an element of surprise and an advantage to pro-government forces, it terrorizes local communities and increases the risk of indiscriminate harm to civilians in the area during these raids. Death, injury, property damage, and emotional stress commonly accompanying night raids erode public confidence and limit progress to protect the population.

Night raids also compound problems stemming from a lack of due process guarantees. These raids are often based on misinformation or bad tips, leading to the detention of innocent people. These people are then frequently jailed for extended periods with inadequate means to challenge their resulting detention. This further discredits the justice system, alienates the population, and undermines efforts to strengthen the rule of law.

While detention may be necessary in the context of the conflict in Afghanistan, greater efforts should be made to ensure that night raids and other search and seizure operations do not undermine the broader policy aims of the international community to increase stability, improve rule of law and due process, and protect the population.

**1. Find alternatives to night raids whenever possible.**

These alternatives should recognize community concerns and be more in line with regular due process procedures.

**2. Coordinate night raids with local International Security Assistance Force commanders.**

Keep local commanders informed of any night raids in their area and involve them in authorization, targeting, and execution whenever possible, if not before than after an operation.

**3. Guard against misinformation.**

More rigorous triangulation of information with a broader and more diverse body of local sources, including the Afghan government, would help prevent raids from mistakenly targeting innocent civilians.

**4. Ensure that greater Afghan involvement is not a blank check for abuse.**

Most Afghans consider international forces guilty by association if they do not prevent accompanying Afghan forces from behaving poorly or breaking the law.

**5. Avoid working with unregulated irregular militias.**

These groups are difficult to hold to account and have a reputation for abuse.

**6. Restore confidence through greater accountability.**

Mechanisms that respond to complaints regarding night raids and can meaningfully address them within the military chain of command are essential.

The report was written by Erica Gaston and Jonathan Horowitz on behalf of the Open Society Institute (OSI) and Susanne Schmeidl from The Liaison Office (TLO). Research was carried out jointly between OSI and TLO.

The brief is part of a regional policy initiative by OSI to examine key issues in Afghanistan and Pakistan, including civilian casualties and conflict-related detentions. OSI is a non-governmental organization that works to build vibrant and tolerant democracies whose governments are accountable to their citizens. On a local level, OSI implements a range of initiatives to advance justice, education, public health, and independent media.

TLO is an Afghan non-governmental organization aiming at improving local governance, peace and security in Afghanistan through systematic and institutionalized engagement with traditional and modern civil society structures, through research, dialogue and programming.

Work for this paper is supported by the Open Society Institute and the Foundation for Open Society in Afghanistan.

## **I. Introduction**

Afghan civilians bear the brunt of war. Though international forces have made significant improvements toward better population protection—particularly by reducing civilian casualties linked to airstrikes—many Afghans still view them as equally or sometimes even more dangerous than insurgents. One of the main reasons for this is the continuing practice of night raids.

Interviews with local communities suggest that the number of night raids has not noticeably decreased since new tactical changes were put in place in July 2009, and are now occurring in previously unaffected areas, such as Kunduz.<sup>1</sup> Narratives collected from Khost, Paktia, and elsewhere also indicate that negative perceptions of international military actors will not change as long as the abuses associated with night raids continue.

In addition to fuelling anti-foreign sentiments, conduct during these raids and subsequent detention practices raise questions of compliance with international law, undermines progress in strengthening Afghan rule of law and stability, and negates many of the positive effects gained by other population-centric steps taken by international actors and the Afghan government.

While attacking homes at night, rather than daytime, may add an element of surprise and reduce the risk to pro-government forces, it dramatically increases the chances of indiscriminate use of force against innocent women, children, and men in the house. In doing so, it increases animosity in local communities, thereby undermining the larger strategic goal of winning support from local populations. As the newly appointed commander of the U.S. and NATO missions in Afghanistan, General Stanley McChrystal, himself noted: “[W]e run the risk of strategic defeat by pursuing tactical wins that cause civilian casualties or unnecessary collateral damage. The insurgents cannot defeat us militarily; but we can defeat ourselves.”<sup>2</sup>

Further, there is evidence that many of these raids are triggered by misinformation, leading to mistaken detentions, and that even those who are justifiably apprehended may be set free because of corrupt Afghan institutions. Both these factors make the relative value of this practice unclear.

Taken as a whole, the costs of night raids, as they are currently conceived and conducted, likely outweigh the benefits.

## **II. Background: Policy Changes in 2009 and the New Counterinsurgency Focus**

The number of civilian casualties rose dramatically in 2008, increasing 40 percent from 2007. Though insurgents were responsible for most of the harm, the public directed their anger at international forces. Protests erupted nationwide over the high death toll from international forces’ airstrikes and reports of offensive and abusive treatment during night raids and detentions.<sup>3</sup> Many Afghans called on international troops to withdraw. International military began to realize that civilian casualties and conflict-related detentions might be pushing the population toward the insurgency.

To reverse these trends, General McChrystal announced a new military strategy premised on counterinsurgency theory: the number of insurgents killed mattered less for overall victory than denying insurgents the support of Afghan communities. Critical elements of this new strategy included the need to limit harm to Afghan civilians, demonstrate respect for local customs, and improve the accountability of international forces and the Afghan government.<sup>4</sup> McChrystal also rightly flagged the need to dramatically improve the Afghan law enforcement and justice systems, which are plagued by high levels of corruption, frequent detainee abuse, and widespread skill and resource shortages.

The most significant step to implement this new strategy was a new tactical directive issued by McChrystal in July 2009. The tactical directive restricted activities, such as airstrikes, likely to result in civilian casualties, and urged troops to act with greater sensitivity to Afghan cultural and religious concerns. It mandated greater Afghan involvement in the practice of night raids: “Any entry into an Afghan house should always be accomplished by Afghan National Security Forces (ANSF), with the support of local authorities...”<sup>5</sup> This tactical directive applied to both operating missions in Afghanistan: the NATO-led International Security Assistance Force (ISAF) and U.S. Forces–Afghanistan (USFOR-A).

Furthermore, the U.S. government drew up new detention procedures to grant detainees in U.S. custody in Afghanistan greater rights. The United States also opened a new detention facility to replace the Bagram Theatre Internment Facility, which had been fraught with allegations of detainee abuse and substandard detention conditions.<sup>6</sup>

### **III. Community Impressions of Night Raids**

From September to December 2009, the Open Society Institute (OSI) and the Afghan nongovernmental organization, The Liaison Office (TLO), conducted a study in the conflict-prone southeastern provinces of Paktia and Khost to understand how Afghan communities viewed international forces and whether they considered new military policy reforms to be effective. The study consisted of 20 focus group discussions (one with women), which recorded the views of over 150 participants, including local notables, elders, and shura members. The study also conducted more than 25 in-depth interviews with individuals (seven of whom were women) who participated in the discussion groups. Though the study focused on two provinces, similar responses have been documented by researchers in other regions, suggesting that the views presented here occur across many other areas of Afghanistan.<sup>7</sup>

Despite significant improvements in the conduct of international forces, Afghans remain critical of the behavior and lack of accountability of Afghan and international forces who engage in night raids, as well as their subsequent detention procedures. These concerns reinforce negative perceptions about international forces, eroding much of the strategic value of other positive policy changes related to civilian casualties and detention.

### *a) Preliminary Impact of Recent Policy Reforms*

Approximately six months after the tactical directive and other policy reforms were issued, the changes have already had a significant impact on some key issues. While the Human Rights Unit of the United Nations Assistance Mission in Afghanistan (UNAMA) recorded the highest number of civilian casualties in 2009 since the fall of the Taliban regime in 2001,<sup>8</sup> it also noted a significant decrease in civilian deaths attributed to Afghan National Security Forces (ANSF) and international military forces (a 28 percent drop from 2008).

While the new strategy is reducing civilian casualties caused by airstrikes, it has been less successful in addressing problems associated with night raids. The UNAMA report voiced concern over the “excessive use of force” often accompanying these raids, reporting that 98 civilians were killed during night raids in 2009. The report also flagged “allegations of ill-treatment, aggressive behaviour and cultural insensitivity, particularly towards women.”<sup>9</sup>

Consistent with UNAMA’s findings, few interviewees for this study were able to give examples of airstrikes that had happened in their province in the last six months since General McChrystal issued his July 2009 tactical directive, but many had fresh memories of night raids. Afghans described recent incidents in which international forces and/or Afghan forces engaged in abusive treatment, unnecessarily destroying property and disrespecting cultural norms during house searches. In some cases, people said they witnessed detainees being gun butted or kicked, sometimes while handcuffed.<sup>10</sup>

Former detainees and other witnesses to night raids reported international forces breaking dishes, destroying furniture, and setting vehicles on fire. Because many compounds house dozens of people, this property destruction was widely viewed as unnecessary and drew complaints from non-targeted residents in the house and their communities.

Not all observed trends were negative. Interviewees reported few recent examples of night raids that involved the desecration of holy texts and serious misconduct towards women, though they did note that these problems existed in the past and had not been (or could not be) forgiven. It is possible that the reduction of these incidents is due to the new tactical directive urging more respect for civilians’ religious and cultural concerns, and which particularly instructed soldiers to “account for the unique sensitivities toward local women.”<sup>11</sup>

Though it is impossible to verify the facts of each incident, allegations of some abuses are consistent enough to raise a question as to whether international forces have violated international law as well as their own applicable domestic military rules. While it is permitted to search houses and detain suspected fighters during wartime, international law requires that detaining powers follow basic standards of treatment. For example, beating a man who is disarmed and handcuffed would almost certainly violate the Geneva Conventions.

In addition, night raids are subject to the principles of proportionality and distinction under international humanitarian law.<sup>12</sup> In other words, night raids must focus only on military targets, and any incidental harm they cause to civilians must be proportionate to the benefits of attacking the military target. Night raids that are accompanied by excessive force or result in significant harm to surrounding family members or properties raise serious concerns as to whether these principles are being properly respected.

The degree to which governments participating in internal armed conflicts should rely on the law enforcement standards implicit in peacetime human rights law, as opposed to international humanitarian law standards, is an evolving area of international law.<sup>13</sup> While this issue is unsettled as a matter of law, the costs and benefits as a policy matter are clear. Law enforcement standards provide greater protections against accidental harm, address greater accountability concerns, allow for better evidence gathering to increase the chance of accurate convictions and acquittals, and would instill stronger rule of law standards in Afghanistan. Therefore, it is strongly advisable that, where possible, military or other government forces conduct raids that they deem unavoidable in accordance with law enforcement and international human rights standards.

#### ***b) Attacks on Medical Clinics and Other Humanitarian Organizations***

Civilian homes were not the only targets of night raids. Nongovernmental organizations and medical clinics also reported having facilities raided by mixed groups of international and Afghan armed forces. In one particularly egregious example, international forces led a raid on a Swedish Committee of Afghanistan (SCA) clinic in Wardak Province in August 2009. According to SCA, the troops forced entry into several rooms, tied up local staff and some patients' family members, and ordered some patients out of their wards.<sup>14</sup> International forces also reportedly ordered the clinic staff to report any patient suspected to be Taliban in the future.<sup>15</sup> ISAF maintains that its forces sought permission before entering.

Under international law, medical clinics, even if they admit and treat injured insurgency actors, are generally protected from attacks. UNAMA reported facts indicating that international forces exceeded what was permissible when they entered the medical facility in Wardak.

#### ***c) Perceptions of International Forces***

The practices inherent in night raids—an intrusion into the home at night, interactions with women of the family—clash with fundamental notions of privacy. Afghans believe that women's quarters are sacrosanct and should not be touched by outsiders. Some women interviewed feared that they would be sent to hell for looking at the international forces or being seen by them during these raids.<sup>16</sup>

Because these operations are so offensive to Afghan communities, reports of misconduct during night raids are especially prone to exaggeration. During the discussion groups, interviewees gave accounts of international forces tearing or chopping the Holy Quran



with an ax, taking women away in helicopters and returning them dead, and shooting babies or children at point-blank range.

Even if some of these and other stories are due to insurgency propaganda, Afghans are ready to believe them. The perception is that forces willing to conduct night raids as a matter of standard protocol would also be willing to engage in other outrageous acts during these raids.

While many claims go unsubstantiated and others are simply false, international and Afghan military forces should not ignore that they are built upon a reality of abuse, and that even the “unbelievable” allegations shape the way Afghan communities understand the conflict. Whether propaganda, exaggeration, or fact, complaints about night raids spread rapidly through communities provoking extreme reactions. Following allegations that international forces violated the Holy Quran in a search operation in Wardak in October, 15 public demonstrations were organized countrywide.<sup>17</sup>

Furthermore, such experiences create (or add to the already) negative perceptions of international forces, sometimes pushing individuals toward outright support for insurgents. As one interviewee suggested, “If someone is handcuffed in front of women, he would see no other way left, but to head towards the mountains [to fight with the insurgents].”<sup>18</sup> Each night raid that takes place reinforces these perceptions and gives fresh fodder to insurgent propaganda.

#### ***d) Lack of Accountability for Night Raids***

Community anger over night raids is equally rooted in a lack of accountability. Afghans often find it difficult to identify which forces were involved in a given incident or to determine the location of a detainee soon after capture. In addition to Afghan government officials, local Provincial Reconstruction Teams (PRTs) or Forward Operation Bases (FOBs) are often the first point of contact a relative of a detainee will have with the military after a detention operation takes place. Several interviewees said that when they did try to seek information with international or Afghan forces they were ignored or threatened not to ask any more questions.

“They cannot approach the base. They do not allow them to enter,” one community representative explained. “A lot of people are simply afraid to go. They are afraid that if they go to ask about someone who is detained, they will also be attacked.”<sup>19</sup>

One respondent described an incident in July 2009 in Paktia province, in which a man appeared to have been deliberately killed during a night time raid. When the local elders went to the Afghan campaign forces, an irregular militia they believed was involved in the raid, to ask why the man had been killed they were told to drop the issue or they would be sent to prison in Guantanamo.<sup>20</sup>

In May 2008, the UN Special Rapporteur on Extrajudicial Killings Philip Alston criticized international forces for their unwillingness or inability to identify which international units were involved in military operations:

Getting clarification from the international forces is like entering a maze. I experienced this maze myself. One ISAF commander explained that while he could confirm whether a particular operation was conducted by conventional ISAF troops and then clarify which national contingent they belonged to, he would have to pass the case up the chain of command to clarify whether it had been conducted by ISAF special forces, and that I would have to ask the commander in charge of Operation Enduring Freedom (OEF) to determine whether and which coalition forces were responsible.<sup>21</sup>

Almost two years later, Alston's critiques are still relevant. Those leading night raids are often Special Operations Forces (SOF) operating out of regional commands, rather than from the local ISAF base or PRTs. Though efforts have been made to better incorporate SOF into the chain of command in 2009, the local ISAF commanders are often still ignorant as to what raids occur in their area of operations, and which forces are conducting them. During a November 19, 2009 meeting between the Regional Command North and humanitarian and development actors in Kunduz, one of the ISAF military officials voiced his frustration with recent US military/special forces activities in the area for not sharing any details about their operation, adding "ISAF cannot influence anything the US Military/Special Forces do."<sup>22</sup> Highlighting the concern about raids carried out by SOF, independent monitors in southern Kandahar and Helmand province noted that recently some raids have been carried out by ISAF rather than SOF, and that it is easier to raise concerns and track those who are accountable for these ISAF-led raids.<sup>23</sup>

The lack of visibility over those conducting raids also weakens the potential for innocent families who are harmed to receive appropriate apologies or compensation, as was recommended in General McChrystal's assessment on the military strategy in Afghanistan.<sup>24</sup> So far, ISAF has failed to set up a comprehensive system of compensation in Afghanistan, and instead it is up to the discretion of individual troops involved in a given incident.<sup>25</sup> When those troops are not local to an area, or are not identifiable within the chain of command – as often happens in the case of night raids – there is almost no chance for affected civilians to receive an apology or to have their losses recognized or compensated.<sup>26</sup>

There also appears to be insufficient accountability for and verification of the intelligence that led to many of these raids. Many people detained during night raids said they were targeted because their rivals or enemies deliberately passed misinformation to international forces. Though these allegations are hard to confirm, the fact that many detainees are soon released without charge, the frequency of wrongful aerial bombings, and the underlying local dynamics of many Afghan regions lend credibility to these claims. As one shopkeeper from Paktia described, "The Afghan National Army and the international forces have raided my house six times. Every time they searched my house,

they could not find anything and apologized after the search operation and told me that wrong intelligence had been given to them.”<sup>27</sup>

Research in other insurgency and civil war contexts has found that the motivations for informants to pass tips to one side or the other are often personal.<sup>28</sup> Given this empirical research and the history of ethnic and tribal rivalries in Afghanistan, it is not surprising that many tips leading to night raids would be driven by personal motivations of the informant. While some tips are true, others are not. For this reason, stronger mechanisms for verifying information are imperative given the impact of these practices.

Afghans point to these raids and complain that international forces operate under a culture of impunity. These critiques are not surprising, given the lack of visibility over how raids are authorized and which forces conduct them, and the absence of a mechanism to refer and address complaints about conduct after the fact. The civilian and military strategies in Afghanistan both emphasize the importance of rule of law and stronger government accountability for long-term stability. Reports of abuse and concerns about the lack of accountability for these raids, reinforce, rather than correct, existing flaws in the Afghan detention and justice system. With the international community spending billions of dollars annually to improve rule of law, international forces are working at cross-purposes by not having in place a serious system for accountability that can respond to night raids that result in abuse, property destruction, wrongful detentions, and the denial of due process.

***e) Conduct of Afghan National Security Forces, Irregular Militias, and Other Afghan Actors***

One of the positive reforms made by the July 2009 tactical directive was to have the involvement of Afghan National Security Forces (ANSF) at all raids, a step that many Afghan communities requested.

Unfortunately, however, some of the benefits of this positive reform are undermined by allegations of abuse by Afghan forces or officials during the raids or afterwards during detention. When international forces detain individuals, they will often hand them over to Afghan institutions (Afghan National Police (ANP), Afghan National Army (ANA) or the National Directorate of Security (NDS)), which are plagued with corruption and allegations of torture or other mistreatment.<sup>29</sup> Those detained by international forces frequently reported having to pay a bribe worth several thousand U.S. dollars to secure their release.

Interviewees in particular complained about mistreatment by the ANP and by unaccountable irregular militias—often called “campaign” forces or “Armed Security Groups.” These campaign forces are especially problematic as they are not part of the Afghan National Security Forces, exacerbating concerns about the accountability of armed groups engaged in night raids side-by-side with international forces. As the UN Special Rapporteur on Extrajudicial Killings Philip Alston argued:

[I]t is absolutely unacceptable for heavily-armed internationals accompanied by heavily-armed Afghan forces to be wandering around conducting dangerous raids that too often result in killings without anyone taking responsibility for them.<sup>30</sup>

Interviewees believed that these campaign forces, as well as other Afghans, intentionally provided international forces with misinformation to settle personal grievances or tribal rivalries. The vast majority of interviewees blamed wrongful detentions on deliberate misinformation. Nearly every person interviewed said that it was better that these raids or alternative detention practices be conducted by Afghan forces, so long as their involvement was accompanied by greater efforts to ensure accurate information and respectful and accountable conduct on the part of Afghan forces.

#### **IV. Conclusion**

Afghans are victims of the growing violence between insurgents and international forces. For many Afghans living in contested areas, there is no neutral zone. Attempts by local communities to distance themselves from either international forces or insurgents inevitably leads to civilians being targeted by one side or the other.

A tribal elder from Khas Uruzgan explained:

There are now six governments—PRTs, Hazara Militias [i.e., campaign forces], ANA, ANP, district government, and the Taliban. We are caught in the middle of all of them. If you side with the government, then the Taliban will kill you. If you side with the Taliban, the government will take you or the bombs will fall.<sup>31</sup>

The conduct of night raids and the impunity of those participating in them are main contributors to Afghan complaints about international forces. These raids provide fuel for propaganda aimed against the Afghan government and the international presence in Afghanistan. These practices are counterproductive, keeping the international community from achieving primary goals such as establishing stability and garnering local trust and support.

From a strategic military perspective, these practices undermine many of the benefits gained by the positive reforms within the new counterinsurgency strategy. Despite reductions in the number of airstrikes and associated civilian deaths by international forces, narratives from Khost and Paktia, which are fairly representative of Afghans living in other contested areas, suggest that the dominant perception of international forces as either indifferent to, or even intentionally causing, Afghan suffering will not change as long as violent night raids and wrongful detentions continue.

## **V. Recommendations**

### **1. Find alternatives to night raids whenever possible.**

The practice of night raids should be reviewed with particular scrutiny of why and in what circumstances operations must be conducted during nighttime, and why traditional law enforcement safeguards for detaining suspects are not appropriate or possible. Though in some cases night raids may be the only means for detaining an individual, in many cases there are clearly less offensive alternatives that should or could be considered. Afghan communities rightfully ask why international forces cannot simply detain a suspect during the daytime, in a less violent manner that is more in-line with regular due process procedures.

### **2. Coordinate night raids with local International Security Assistance Force commanders.**

Night raids can generate enormous hostility among local populations, in one stroke undoing months of counterinsurgency efforts by the local commander. Yet because so many night raids are carried out by Special Operations Forces, local commanders often complain that they do not even know when raids are conducted in their own area of operations. Better coordination will help to protect these gains and reduce the negative consequences of poorly planned raids. Keep local commanders informed of any night raids in their area and involve them in authorization, targeting, and execution whenever possible.

### **3. Guard against misinformation.**

In a society as fragmented by ethnic and tribal lines as Afghanistan, it is paramount that military actors triangulate information more rigorously using a larger number and a more diverse body of local sources, including the Afghan government. It is equally important that international forces thoroughly record and collect evidence when conducting night raids or other search and seizure operations. Doing so will increase the accuracy and credibility of legal proceedings to which the detainee is ultimately subject.

### **4. Ensure that greater Afghan involvement is not a blank check.**

While expanding Afghan involvement and leadership in the authorization and operation of night raids is a significant improvement, and one that communities generally endorse, it is not a panacea. For most Afghans, international forces are guilty by association if they do not prevent accompanying Afghan forces from behaving poorly or breaking the law. Thus, passing greater responsibilities on to Afghan forces does not mean avoiding blame for how night raids are conducted. It is therefore necessary that Afghan National Security Forces are held accountable for abuses and trained not to repeat the mistakes of international forces.

### **5. Avoid working with unregulated irregular militias.**

Working with armed security groups or campaign forces that fall outside the official Afghan government security apparatus is a recipe for disaster. These groups are difficult to monitor and have a reputation for abuse. Research shows that Afghans prefer to encounter security forces that they can link to a government body that holds them

accountable, even if only marginally so.<sup>32</sup> At least they know to whom to complain, or who should be accountable in theory.

## **6. Restore confidence through greater accountability.**

After eight years of night raids, Afghan communities are understandably mistrustful of international forces' promises to improve their practices. Rebuilding this lost trust will be difficult, particularly if night raids continue to be used regularly. Even when conduct does improve, the very fact that night raids continue can slow recognition of progress. International forces will have to do more to restore lost confidence and regain the trust of Afghan communities.

Improving accountability would be a key confidence-building measure. Specific changes might include: being more transparent about night raids, at least after the fact if not before; holding Afghan counterparts accountable; and communicating to affected communities when and how any misconduct is addressed. Providing apologies and, where appropriate, compensation to innocent families who are mistakenly targeted may also mitigate community anger after an incident, and improve the perception of accountability.

To facilitate this, international forces should establish a mechanism to receive and respond to complaints and inquiries regarding night raids and to enforce remedies where valid. For it to be effective, the mechanism should have access to all relevant information about the night raid, including a pre-raid written explanation as to why it needed to be conducted at night instead of during the day. For purposes of accountability, each raid should also be approved in writing by an appropriate ISAF or US military official in the chain of command.

This mechanism must be accessible to Afghan communities and should be allowed to provide relevant information about the operations in question. A civilian casualty tracking cell was established in 2008; however, as UNAMA noted, this cell has not been particularly responsive and is not capable of "engaging on substantive issues with any authority."<sup>33</sup> Real accountability will mean not only being able to receive complaints and communicate standard positions but also having the authority to respond to concerns with meaningful action.

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<sup>1</sup> See, for example, Susanne Schmeidl, 2009, "Until you get the wrong Ahmad..." Afghanistan Analysts Network, <http://aan-afghanistan.com/index.asp?id=508> (accessed January 25, 2010); and Jonathan Horowitz, "Former Bagram Detainee Describes 'Completely Wild' Arrest, Interrogation By US Troops," Huffington Post, July 28, 2009, [http://www.huffingtonpost.com/jonathan-horowitz/former-bagram-detainee-de\\_b\\_275795.html](http://www.huffingtonpost.com/jonathan-horowitz/former-bagram-detainee-de_b_275795.html) (accessed January 26, 2010).

<sup>2</sup> "COMISAF Initial Assessment (Unclassified) -- Searchable Document," August 30, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/21/AR2009092100110.html> (accessed January 25, 2010) [hereinafter "COMISAF Assessment"].

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- <sup>3</sup> See for example, Afghanistan Independent Human Rights Commission, *From Hope to Fear: An Afghan Perspective on the Conduct of Pro-Government Forces*, December 2009.
- <sup>4</sup> COMISAF Assessment, *supra* note 2.
- <sup>5</sup> NATO/ISAF, “ISAF Tactical Directive,” Kabul, Afghanistan, July 2009, p. 2 [Hereinafter “ISAF Tactical Directive”].
- <sup>6</sup> Jonathan Horowitz, “The New Bagram: Has Anything Changed?” Huffington Post, November 20, 2009, [http://www.huffingtonpost.com/jonathan-horowitz/the-new-bagram-has-anythi\\_b\\_365819.html](http://www.huffingtonpost.com/jonathan-horowitz/the-new-bagram-has-anythi_b_365819.html) (accessed February 18, 2010).
- <sup>7</sup> See, for example, United Nations Mission in Afghanistan, *Afghanistan: Annual Report on Protection of Civilians in Armed Conflict, 2009*, January 2010, <http://unama.unmissions.org/Portals/UNAMA/human%20rights/Protection%20of%20Civilian%202009%20report%20English.pdf> (accessed January 26, 2010) [Hereinafter “UNAMA Protection of Civilians 2009 report”]; and Susanne Schmeidl, Alexander D. Mundt, and Nick Miszak, *Beyond the Blanket: Towards more Effective Protection for Internally Displaced Persons in Southern Afghanistan, a Joint Report of the Brookings/Bern Project on Internal Displacement and The Liaison Office*, Washington D.C.: The Brookings Institution, 2009 [Hereinafter “Schmeidl, Mundt, & Miszak, Beyond the Blanket”].
- <sup>8</sup> UNAMA Protection of Civilians 2009 report, *supra* note 7.
- <sup>9</sup> UNAMA Protection of Civilians 2009 report, *supra* note 7.
- <sup>10</sup> Interview, Khost, October 24, 2009 and follow-up interview; and interview, Khost, October 15, 2009 and follow-up interview.
- <sup>11</sup> ISAF Tactical Directive, p. 2, *supra* note 5.
- <sup>12</sup> Additional Protocol I to the Geneva Conventions of 1949, and relating to the Protection of Victims of International Armed Conflicts, art. 51, June 8, 1977, 1125 U.N.T.S. 3. These principles also reflect customary international law, binding also non-parties to the Additional Protocol. Jean-Marie Henckaerts, *Study on Customary Rules of International Humanitarian Law*, Rules 1 – 14, 2005.
- <sup>13</sup> Mark Freeman, “International Law and Internal Armed Conflicts: Clarifying the Interplay between Human Rights and Humanitarian Protection”, *The Journal of Humanitarian Assistance*, July 24, 2007.
- <sup>14</sup> See, Swedish Committee for Afghanistan, “International military violently entered SCA Hospital in Wardak,” Press Release, September 6, 2009, <http://www.swedishcommittee.org/archive/articles/press/2009/wpoIMF/> (accessed February 1, 2010).
- <sup>15</sup> UNAMA Protection of Civilians 2009 report, *supra* note 7.
- <sup>16</sup> Author interview with woman in Gardez, Paktia, December 13, 2009.
- <sup>17</sup> UNAMA Protection of Civilians 2009 report, *supra* note 7.
- <sup>18</sup> Interview, Gardez, Paktia, December 9, 2009.
- <sup>19</sup> Interview, Gardez, Paktia, December 9, 2009.
- <sup>20</sup> Interview, Gardez, Paktia, October 27, 2009. Despite this threat, no detainee has been sent to Guantanamo Bay since 2008 and it would appear highly unlikely that any further transfers would take place.
- <sup>21</sup> Press Statement of Professor Philip Alston, Special Rapporteur of the United Nations Human Rights Council on extrajudicial, summary or arbitrary executions, Kabul, May 15, 2008, <http://www.extrajudicialexecutions.org/application/media/Statement,%2015%20May%202008,%20Kabul,%20Afghanistan%20%5BEnglish%5D.pdf> (accessed January 25, 2010), p.2 [Hereinafter “Alston Press Statement”].
- <sup>22</sup> RC North briefing with development and humanitarian actors, Kunduz, November 19, 2009.
- <sup>23</sup> Interview with Afghanistan Independent Human Rights Commission officers, January 31, 2010.
- <sup>24</sup> COMISAF Assessment, *supra* note 2.
- <sup>25</sup> Campaign for Innocent Victims in Conflict, *Losing the People: the Costs and Consequences of Civilian Harm in Afghanistan*, February 2009, [www.civicworldwide.org/afghan\\_report](http://www.civicworldwide.org/afghan_report) (accessed February 7, 2010)[Hereinafter “CIVIC report”].
- <sup>26</sup> CIVIC report, *supra* note 25.
- <sup>27</sup> Interview, Zurmat, Paktia, November 3, 2009.
- <sup>28</sup> Stathis N. Kalyvas, *The Logic of Violence in Civil War*, 2006.
- <sup>29</sup> Human Rights Watch, “Canada/Afghanistan: Investigate Canadian Responsibility for Detainee Abuse,” Press Release, November 27, 2009, <http://www.hrw.org/en/news/2009/11/27/canadaafghanistan-investigate-canadian-responsibility-detainee-abuse> (accessed January 26, 2010). See also, Afghanistan

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Independent Human Rights Commission,  
[http://www.aihrc.org.af/english/Eng\\_pages/Researches\\_eng/Research\\_cause\\_of\\_Torture\\_2009\\_April.pdf](http://www.aihrc.org.af/english/Eng_pages/Researches_eng/Research_cause_of_Torture_2009_April.pdf)  
(accessed February 1, 2010).

<sup>30</sup> Alston Press Statement, *supra* note 21, p. 2.

<sup>31</sup> Schmeidl, Mundt, & Miszak, Beyond the Blanket, *supra* note 7.

<sup>32</sup> Susanne Schmeidl, 2007, "Case Study Afghanistan – Who Guards the Guardians?," in *Private Security Companies and Local Populations. An exploratory study of Afghanistan and Angola*. Swisspeace report, November 2007, [http://www.swisspeace.ch/typo3/fileadmin/user\\_upload/pdf/PSC\\_01.pdf](http://www.swisspeace.ch/typo3/fileadmin/user_upload/pdf/PSC_01.pdf) (accessed February 1, 2010) pgs. 14 - 45.

<sup>33</sup> UNAMA Protection of Civilians 2009 report, *supra* note 7, p. 30.

Cover photo credit: David Gill

Photo caption: British troops passing through an Afghan town in Helmand province Afghanistan.

For additional information, contact Erica Gaston, [egaston@sorosny.org](mailto:egaston@sorosny.org).  
[www.soros.org](http://www.soros.org)



# Exhibit U

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# amnesty international

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## USA: Urgent need for transparency on Bagram detentions

06 March 2009

AI Index: AMR 51/031/2009

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*My administration is committed to creating an unprecedented level of openness in Government... Transparency promotes accountability and provides information for citizens about what their Government is doing*  
President Barack Obama, 21 January 2009<sup>1</sup>

A US federal judge considering the question of whether detainees held by the USA in Bagram air base in Afghanistan may challenge the lawfulness of their detention before courts in the USA has ordered the US administration to provide him, by 11 March 2009, with updated information on the Bagram detainees.

Amnesty International urges the US administration to inject some much needed transparency into the detention regime operated at the Bagram Theater Internment Facility (BTIF), including by making fully available to the public the information requested by the judge. The organization continues to call for the Bagram detainees to be granted access to an independent court to challenge the lawfulness of their detentions, to effective remedies in relation to their treatment and conditions of detention, and to meaningful access to legal counsel for such purposes.<sup>2</sup>

Habeas corpus petitions filed on behalf of four detainees held for more than five years in Bagram are pending before US District Court John Bates in Washington, DC. On 7 January 2009 – seven years after detentions in Bagram began – Judge Bates issued an order requiring the US government to disclose by 16 January the number of people being held in the airbase, how many of them were taken into custody outside of Afghanistan, and how many of them were Afghan nationals. Judge Bates said that the government could file under seal any of the information that was classified. True to form for an administration that consistently exploited classification to keep from public scrutiny its detention and interrogation policies, the Bush administration filed a response to the order in which any detail of detainee numbers, nationalities, or where they were originally taken into custody was classified as secret and redacted from the unclassified version of the filing.

In a follow-up order issued on 2 March 2009, Judge Bates noted that the government's reply of 16 January "may already be out-of-date", given the previous administration's assertion that transfers or releases of detainees from Bagram were expected at that time. This would appear to be reflected in figures released by the International Committee of the Red Cross (ICRC), the

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<sup>1</sup> Transparency and open government. Memorandum for the Heads of Executive Departments and Agencies, 21 January 2009. Federal Register, Vol. 74, No. 15, p. 4685.

<sup>2</sup> See USA: Out of sight, out of mind, out of court? The right of Bagram detainees to judicial review, 18 February 2009, <http://www.amnesty.org/en/library/info/AMR51/021/2009/en>

the USA. Like the Guantánamo detainees, those held at Bagram are under the complete control of their US captors. They currently have no access to courts in Afghanistan.

On 20 February 2009, responding to an invitation from Judge Bates a month earlier to the new administration to tell him whether it would take “a different approach” to its predecessor on the Bagram detainees, the Justice Department responded simply that “having considered the matter, the Government adheres to its previously articulated position”, that is, the position argued by the Bush administration. Amnesty International regrets this response to Judge Bates, and hopes that it represents a very temporary stance taken as the new administration tackles the detention legacy inherited from its predecessor. The organization reiterates its call to the USA to bring all US detentions anywhere swiftly into compliance with international law.

The right to challenge the lawfulness of detention before a court is a human right so fundamental that it cannot be diminished, even in situations of public emergency up to and including armed conflict. Judicial review is a basic safeguard against abuse of executive powers and a fundamental safeguard against arbitrary and secret detention, torture and other ill-treatment and unlawful transfers from one country or government to another. In the absence of judicial oversight, detainees in Bagram, as at Guantánamo, have been subjected to just such abuses. Even children have not been spared. With this in mind, Amnesty International urges the US government to reveal, in addition to its responses to the questions posed by Judge Bates, how many of the detainees currently in Bagram were taken into custody when they were under 18 years old. A year ago, there were at least 10 children being held in the base, according to information provided by the previous US administration in 2008 to the UN Committee on the Rights of the Child.

It took more than two years until detainees held at Guantánamo gained access to lawyers. It took more than six years for them to be recognized as having the right to challenge the lawfulness of their detentions. It is long overdue for the detainees in Bagram to have the basic protection provided by independent judicial review, and to be granted access to legal counsel to be able to do so.

## **UK government revelations**

The urgent need for transparency in relation to the Bagram detentions was recently highlighted when the UK Secretary of State for Defence, John Hutton, revealed in parliament on 26 February 2009 that two unidentified individuals taken into custody by UK forces in February 2004 in or near Baghdad in Iraq had been handed over to the US authorities and subsequently transferred to Afghanistan, where they remain in detention today.<sup>5</sup> Five years after their transfer from UK to US custody, these two individuals are believed to be held in the Bagram airbase. Amnesty International is calling on the US authorities to publicly confirm whether or not these two individuals are indeed in US custody in Bagram, reveal what their nationalities are, what investigations have been carried out into their transfers, and what their treatment and conditions of detention have consisted of over the past five years.

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<sup>5</sup> See House of Commons Hansard Debates for 26 February 2009, available at: <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090226/debtext/90226-0008.htm#09022651000004>.

John Hutton said that “the US Government has explained to us that they were moved to Afghanistan because of a lack of relevant linguists necessary to interrogate them effectively in Iraq.”<sup>6</sup> He said that UK officials were “aware of this transfer in early 2004” and that “the transfer to Afghanistan of these two individuals should have been questioned at the time”. It is not clear from John Hutton’s statement precisely when in 2004 the two men were transferred to Afghanistan, whether the transfer was conducted under the auspices of the Central Intelligence Agency (CIA), the US military or another agency, or whether they have been held in Afghanistan for the entire period. It is also not clear whether the transfer occurred before or after two memorandums were written in the US Justice Department’s Office of Legal Counsel (OLC) in March 2004 on the issue of detainees in US custody in Iraq, although “interim guidance” on detainee transfers from Iraq was in place from October 2003 (see below).

In both Afghanistan and Iraq, the Bush administration applied the theory that there were two separate conflicts underway in each theatre of operations, one of which was part of a global war. In relation to Afghanistan, President Bush determined that none of the provisions of the Geneva Conventions would apply to “our conflict with al Qaeda in Afghanistan or elsewhere throughout the world”, but would apply to the conflict with the Taliban.<sup>7</sup> He determined, however, that Article 3 common to the four Geneva Conventions would apply to neither *al-Qa’ida* nor Taliban detainees (overturned in June 2006 by the Supreme Court in *Hamdan v. Rumsfeld*), and that no detainee from either category would qualify as a prisoner of war. The memorandum indicated that humane treatment was to be a matter of policy rather than law.

In the case of the US-led invasion and occupation of Iraq, the USA took the position that the armed conflict with that country began in January 1991 and continued through the March 2003 invasion and the occupation the following month. As in the case of Afghanistan, the administration also held that it was in a separate global conflict with *al-Qa’ida*, to which, when considered independently, the Geneva Conventions did not apply. In a conclusion relevant to its position on transfers out of Iraq, the US Justice Department held that this analysis was less clear when “the two conflicts became intertwined, as they may when al Qaeda operatives carry on their armed conflict against the United States in Iraq.”<sup>8</sup>

Outside the context of the Iraq conflict, the Bush administration considered it was free to transfer detainees in its custody abroad between its detention facilities around the world, in secrecy and without any judicial oversight. That it viewed the world as the battlefield is illustrated by the fact that those taken to Guantánamo and held there as “enemy combatants” were picked up in countries as far apart as Azerbaijan, Zambia, Bosnia and Herzegovina, Thailand, Gambia, Indonesia, and United Arab Emirates, as well as from mosques, homes and

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<sup>6</sup> However, another such transfer known to have taken place in early 2004 was clearly not motivated by a shortage of relevant linguists. In January 2004, an Arabic-speaking Yemeni national, Khaled al-Maqtari, was detained by US forces in Fallujah, Iraq, and transferred to Abu Ghraib (where he was allegedly questioned by UK troops). He was transferred to Afghanistan several weeks later, and held in secret detention in unidentified locations for over two years. See USA: A case to answer. From Abu Ghraib to secret CIA custody: The case of Khaled al-Maqtari, March 2008, <http://www.amnesty.org/en/library/info/AMR51/013/2008/en>.

<sup>7</sup> Humane treatment of al Qaeda and Taliban detainees. President George W. Bush, 7 February 2002.

<sup>8</sup> Memorandum opinion for the Counsel to the President. ‘Protected person’ status in occupied Iraq under the Fourth Geneva Convention, 18 March 2004.

# Exhibit V

5/20/05 N.Y. Times A1  
2005 WLNR 7990089

New York Times (NY)  
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**May 20, 2005**

Section: A

In U.S. Report, Brutal Details Of 2 Afghan Inmates' Deaths  
THE BAGRAM FILE: First of two articles.

**TIM GOLDEN**; Ruhallah Khapalwak, Carlotta Gall and David Rohde contributed reporting for this article, and Alain Delaqueriere assisted with research.

First of two articles on Army's criminal investigation into brutal deaths of two detainees at detention center in Bagram, Afghanistan; 2,000-page confidential file depicts young, poorly trained soldiers in repeated incidents of abuse; finds that in some instances, it was directed or carried out by interrogators to extract information, that sometimes it was punishment meted out by military police guards, and that torment sometimes seemed driven by little more than boredom or cruelty, or both; finds one detainee, who had been chained to top of his cell by his wrists for many days, was taken for last abusive interrogation when most of interrogators believed he was innocent; so far, only seven soldiers have been charged; most of those who could still face legal action have denied wrongdoing; story of abuses at Bagram remains incomplete, but documents and interviews reveal striking disparity between findings of Army investigators and what military officials said in aftermath of two deaths; detailed description of treatment of two detainees; photos; excerpts from statements by various officers (L)

Even as the young Afghan man was dying before them, his American jailers continued to torment him.

The prisoner, a slight, 22-year-old taxi driver known only as Dilawar, was hauled from his cell at the detention center in Bagram, Afghanistan, at around 2 a.m. to answer questions about a rocket attack on an American base. When he arrived in the interrogation room, an interpreter who was present said, his legs were bouncing uncontrollably in the plastic chair and his hands were numb. He had been chained by the wrists to the top of his cell for much of the previous four days.

Mr. Dilawar asked for a drink of water, and one of the two interrogators, Specialist Joshua R. Claus, 21, picked up a large plastic bottle. But first he punched a hole in the bottom, the interpreter said, so as the prisoner fumbled weakly with the cap, the water poured out over his orange prison scrubs. The soldier then grabbed the bottle back and began squirting the water forcefully into Mr. Dilawar's face.

"Come on, drink!" the interpreter said Specialist Claus had shouted, as the prisoner gagged on the spray. "Drink!"

At the interrogators' behest, a guard tried to force the young man to his knees. But his legs, which had been pummeled by guards for several days, could no longer bend. An interrogator told Mr. Dilawar that he could see a doctor after they finished with him. When he was finally sent back to his cell, though, the guards were instructed only to chain the prisoner back to the ceiling.

"Leave him up," one of the guards quoted Specialist Claus as saying.

Several hours passed before an emergency room doctor finally saw Mr. Dilawar. By then he was dead, his body beginning to stiffen. It would be many months before Army investigators learned a final horrific detail: Most of the interrogators had believed Mr. Dilawar was an innocent man who simply drove his taxi past the American base at the wrong time.

The story of Mr. Dilawar's brutal death at the Bagram Collection Point -- and that of another detainee, Habibullah, who died there six days earlier in December 2002 -- emerge from a nearly 2,000-page confidential file of the Army's criminal investigation into the case, a copy of which was obtained by The New York Times.

Like a narrative counterpart to the digital images from Abu Ghraib, the Bagram file depicts young, poorly trained soldiers in repeated incidents of abuse. The harsh treatment, which has resulted in criminal charges against seven soldiers, went well beyond the two deaths.

In some instances, testimony shows, it was directed or carried out by interrogators to extract information. In others, it was punishment meted out by military police guards. Sometimes, the torment seems to have been driven by little more than boredom or cruelty, or both.

In sworn statements to Army investigators, soldiers describe one female interrogator with a taste for humiliation stepping on the neck of one prostrate detainee and kicking another in the genitals. They tell of a shackled prisoner being forced to roll back and forth on the floor of a cell, kissing the boots of his two interrogators as he went. Yet another prisoner is made to pick plastic bottle caps out of a drum mixed with excrement and water as part of a strategy to soften him up for questioning.

The Times obtained a copy of the file from a person involved in the investigation who was critical of the methods used at Bagram and the military's response to the deaths.

Although incidents of prisoner abuse at Bagram in 2002, including some details of the two men's deaths, have been previously reported, American officials have characterized them as isolated problems that were thoroughly investigated. And many of the officers and soldiers interviewed in the Dilawar investigation said the large majority of detainees at Bagram were compliant and reasonably well treated.

"What we have learned through the course of all these investigations is that there were people who clearly violated anyone's standard for humane treatment," said the Pentagon's chief spokesman, Larry Di Rita. "We're find-

ing some cases that were not close calls."

Yet the Bagram file includes ample testimony that harsh treatment by some interrogators was routine and that guards could strike shackled detainees with virtual impunity. Prisoners considered important or troublesome were also handcuffed and chained to the ceilings and doors of their cells, sometimes for long periods, an action Army prosecutors recently classified as criminal assault.

Some of the mistreatment was quite obvious, the file suggests. Senior officers frequently toured the detention center, and several of them acknowledged seeing prisoners chained up for punishment or to deprive them of sleep. Shortly before the two deaths, observers from the International Committee of the Red Cross specifically complained to the military authorities at Bagram about the shackling of prisoners in "fixed positions," documents show.

Even though military investigators learned soon after Mr. Dilawar's death that he had been abused by at least two interrogators, the Army's criminal inquiry moved slowly. Meanwhile, many of the Bagram interrogators, led by the same operations officer, Capt. Carolyn A. Wood, were redeployed to Iraq and in July 2003 took charge of interrogations at the Abu Ghraib prison. According to a high-level Army inquiry last year, Captain Wood applied techniques there that were "remarkably similar" to those used at Bagram.

Last October, the Army's Criminal Investigation Command concluded that there was probable cause to charge 27 officers and enlisted personnel with criminal offenses in the Dilawar case ranging from dereliction of duty to maiming and involuntary manslaughter. Fifteen of the same soldiers were also cited for probable criminal responsibility in the Habibullah case.

So far, only the seven soldiers have been charged, including four last week. No one has been convicted in either death. Two Army interrogators were also reprimanded, a military spokesman said. Most of those who could still face legal action have denied wrongdoing, either in statements to investigators or in comments to a reporter.

"The whole situation is unfair," Sgt. Selena M. Salcedo, a former Bagram interrogator who was charged with assaulting Mr. Dilawar, dereliction of duty and lying to investigators, said in a telephone interview. "It's all going to come out when everything is said and done."

With most of the legal action pending, the story of abuses at Bagram remains incomplete. But documents and interviews reveal a striking disparity between the findings of Army investigators and what military officials said in the aftermath of the deaths.

Military spokesmen maintained that both men had died of natural causes, even after military coroners had ruled the deaths homicides. Two months after those autopsies, the American commander in Afghanistan, then-Lt. Gen. Daniel K. McNeill, said he had no indication that abuse by soldiers had contributed to the two deaths. The methods used at Bagram, he said, were "in accordance with what is generally accepted as interrogation techniques."



## The Interrogators

In the summer of 2002, the military detention center at Bagram, about 40 miles north of Kabul, stood as a hulking reminder of the Americans' improvised hold over Afghanistan.

Built by the Soviets as an aircraft machine shop for the operations base they established after their intervention in the country in 1979, the building had survived the ensuing wars as a battered relic -- a long, squat, concrete block with rusted metal sheets where the windows had once been.

Retrofitted with five large wire pens and a half dozen plywood isolation cells, the building became the Bagram Collection Point, a clearinghouse for prisoners captured in Afghanistan and elsewhere. The B.C.P., as soldiers called it, typically held between 40 and 80 detainees while they were interrogated and screened for possible shipment to the Pentagon's longer-term detention center at Guantanamo Bay, Cuba.

The new interrogation unit that arrived in July 2002 had been improvised as well. Captain Wood, then a 32-year-old lieutenant, came with 13 soldiers from the 525th Military Intelligence Brigade at Fort Bragg, N.C.; six Arabic-speaking reservists were added from the Utah National Guard.

Part of the new group, which was consolidated under Company A of the 519th Military Intelligence Battalion, was made up of counterintelligence specialists with no background in interrogation. Only two of the soldiers had ever questioned actual prisoners.

What specialized training the unit received came on the job, in sessions with two interrogators who had worked in the prison for a few months. "There was nothing that prepared us for running an interrogation operation" like the one at Bagram, the noncommissioned officer in charge of the interrogators, Staff Sgt. Steven W. Loring, later told investigators.

Nor were the rules of engagement very clear. The platoon had the standard interrogations guide, Army Field Manual 34-52, and an order from the secretary of defense, Donald H. Rumsfeld, to treat prisoners "humanely," and when possible, in accordance with the Geneva Conventions. But with President Bush's final determination in February 2002 that the Conventions did not apply to the conflict with Al Qaeda and that Taliban fighters would not be accorded the rights of prisoners of war, the interrogators believed they "could deviate slightly from the rules," said one of the Utah reservists, Sgt. James A. Leahy.

"There was the Geneva Conventions for enemy prisoners of war, but nothing for terrorists," Sergeant Leahy told Army investigators. And the detainees, senior intelligence officers said, were to be considered terrorists until proved otherwise.

The deviations included the use of "safety positions" or "stress positions" that would make the detainees uncomfortable but not necessarily hurt them -- kneeling on the ground, for instance, or sitting in a "chair" position

against the wall. The new platoon was also trained in sleep deprivation, which the previous unit had generally limited to 24 hours or less, insisting that the interrogator remain awake with the prisoner to avoid pushing the limits of humane treatment.

But as the 519th interrogators settled into their jobs, they set their own procedures for sleep deprivation. They decided on 32 to 36 hours as the optimal time to keep prisoners awake and eliminated the practice of staying up themselves, one former interrogator, Eric LaHammer, said in an interview.

The interrogators worked from a menu of basic tactics to gain a prisoner's cooperation, from the "friendly" approach, to good cop-bad cop routines, to the threat of long-term imprisonment. But some less-experienced interrogators came to rely on the method known in the military as "Fear Up Harsh," or what one soldier referred to as "the screaming technique."

Sergeant Loring, then 27, tried with limited success to wean those interrogators off that approach, which typically involved yelling and throwing chairs. Mr. Leahy said the sergeant "put the brakes on when certain approaches got out of hand." But he could also be dismissive of tactics he considered too soft, several soldiers told investigators, and gave some of the most aggressive interrogators wide latitude. (Efforts to locate Mr. Loring, who has left the military, were unsuccessful.)

"We sometimes developed a rapport with detainees, and Sergeant Loring would sit us down and remind us that these were evil people and talk about 9/11 and they weren't our friends and could not be trusted," Mr. Leahy said.

Specialist Damien M. Corsetti, a tall, bearded interrogator sometimes called "Monster" --he had the nickname tattooed in Italian across his stomach, other soldiers said -- was often chosen to intimidate new detainees. Specialist Corsetti, they said, would glower and yell at the arrivals as they stood chained to an overhead pole or lay face down on the floor of a holding room. (A military police K-9 unit often brought growling dogs to walk among the new prisoners for similar effect, documents show.)

"The other interrogators would use his reputation," said one interrogator, Specialist Eric H. Barclais. "They would tell the detainee, 'If you don't cooperate, we'll have to get Monster, and he won't be as nice.'" Another soldier told investigators that Sergeant Loring lightheartedly referred to Specialist Corsetti, then 23, as "the King of Torture."

A Saudi detainee who was interviewed by Army investigators last June at Guantanamo said Specialist Corsetti had pulled out his penis during an interrogation at Bagram, held it against the prisoner's face and threatened to rape him, excerpts from the man's statement show.

Last fall, the investigators cited probable cause to charge Specialist Corsetti with assault, maltreatment of a prisoner and indecent acts in the incident; he has not been charged. At Abu Ghraib, he was also one of three members of the 519th who were fined and demoted for forcing an Iraqi woman to strip during questioning, another

interrogator said. A spokesman at Fort Bragg said Specialist Corsetti would not comment.

In late August of 2002, the Bagram interrogators were joined by a new military police unit that was assigned to guard the detainees. The soldiers, mostly reservists from the 377th Military Police Company based in Cincinnati and Bloomington, Ind., were similarly unprepared for their mission, members of the unit said.

The company received basic lessons in handling prisoners at Fort Dix, N.J., and some police and corrections officers in its ranks provided further training. That instruction included an overview of "pressure-point control tactics" and notably the "common peroneal strike" -- a potentially disabling blow to the side of the leg, just above the knee.

The M.P.'s said they were never told that peroneal strikes were not part of Army doctrine. Nor did most of them hear one of the former police officers tell a fellow soldier during the training that he would never use such strikes because they would "tear up" a prisoner's legs.

But once in Afghanistan, members of the 377th found that the usual rules did not seem to apply. The peroneal strike quickly became a basic weapon of the M.P. arsenal. "That was kind of like an accepted thing; you could knee somebody in the leg," former Sgt. Thomas V. Curtis told the investigators.

A few weeks into the company's tour, Specialist Jeremy M. Callaway overheard another guard boasting about having beaten a detainee who had spit on him. Specialist Callaway also told investigators that other soldiers had congratulated the guard "for not taking any" from a detainee.

One captain nicknamed members of the Third Platoon "the Testosterone Gang." Several were devout bodybuilders. Upon arriving in Afghanistan, a group of the soldiers decorated their tent with a Confederate flag, one soldier said.

Some of the same M.P.'s took a particular interest in an emotionally disturbed Afghan detainee who was known to eat his feces and mutilate himself with concertina wire. The soldiers kned the man repeatedly in the legs and, at one point, chained him with his arms straight up in the air, Specialist Callaway told investigators. They also nicknamed him "Timmy," after a disabled child in the animated television series "South Park." One of the guards who beat the prisoner also taught him to screech like the cartoon character, Specialist Callaway said.

Eventually, the man was sent home.

#### The Defiant Detainee

The detainee known as Person Under Control No. 412 was a portly, well-groomed Afghan named Habibullah. Some American officials identified him as "Mullah" Habibullah, a brother of a former Taliban commander from the southern Afghan province of Oruzgan.

He stood out from the scraggly guerrillas and villagers whom the Bagram interrogators typically saw. "He had a piercing gaze and was very confident," the provost marshal in charge of the M.P.'s, Maj. Bobby R. Atwell, recalled.

Documents from the investigation suggest that Mr. Habibullah was captured by an Afghan warlord on Nov. 28, 2002, and delivered to Bagram by C.I.A. operatives two days later. His well-being at that point is a matter of dispute. The doctor who examined him on arrival at Bagram reported him in good health. But the intelligence operations chief, Lt. Col. John W. Loffert Jr., later told Army investigators, "He was already in bad condition when he arrived."

What is clear is that Mr. Habibullah was identified at Bagram as an important prisoner and an unusually sharp-tongued and insubordinate one.

One of the 377th's Third Platoon sergeants, Alan J. Driver Jr., told investigators that Mr. Habibullah rose up after a rectal examination and kned him in the groin. The guard said he grabbed the prisoner by the head and yelled in his face. Mr. Habibullah then "became combative," Sergeant Driver said, and had to be subdued by three guards and led away in an armlock.

He was then confined in one of the 9-foot by 7-foot isolation cells, which the M.P. commander, Capt. Christopher M. Beiring, later described as a standard procedure. "There was a policy that detainees were hooded, shackled and isolated for at least the first 24 hours, sometimes 72 hours of captivity," he told investigators.

While the guards kept some prisoners awake by yelling or poking at them or banging on their cell doors, Mr. Habibullah was shackled by the wrists to the wire ceiling over his cell, soldiers said.

On his second day, Dec. 1, the prisoner was "uncooperative" again, this time with Specialist Willie V. Brand. The guard, who has since been charged with assault and other crimes, told investigators he had delivered three peroneal strikes in response. The next day, Specialist Brand said, he had to knee the prisoner again. Other blows followed.

A lawyer for Specialist Brand, John P. Galligan, said there was no criminal intent by his client to hurt any detainee. "At the time, my client was acting consistently with the standard operating procedure that was in place at the Bagram facility."

The communication between Mr. Habibullah and his jailers appears to have been almost exclusively physical. Despite repeated requests, the M.P.'s were assigned no interpreters of their own. Instead, they borrowed from the interrogators when they could and relied on prisoners who spoke even a little English to translate for them.

When the detainees were beaten or kicked for "noncompliance," one of the interpreters, Ali M. Baryalai said, it was often "because they have no idea what the M.P. is saying."

By the morning of Dec. 2, witnesses told the investigators, Mr. Habibullah was coughing and complaining of chest pains. He limped into the interrogation room in shackles, his right leg stiff and his right foot swollen. The lead interrogator, Sergeant Leahy, let him sit on the floor because he could not bend his knees and sit in a chair.

The interpreter who was on hand, Ebrahim Baerde, said the interrogators had kept their distance that day "because he was spitting up a lot of phlegm."

"They were laughing and making fun of him, saying it was 'gross' or 'nasty,'" Mr. Baerde said.

Though battered, Mr. Habibullah was unbowed.

"Once they asked him if he wanted to spend the rest of his life in handcuffs," Mr. Baerde said. "His response was, 'Yes, don't they look good on me?'"

By Dec. 3, Mr. Habibullah's reputation for defiance seemed to make him an open target. One M.P. said he had given him five peroneal strikes for being "noncompliant and combative." Another gave him three or four more for being "combative and noncompliant." Some guards later asserted that he had been hurt trying to escape.

When Sgt. James P. Boland saw Mr. Habibullah on Dec. 3, he was in one of the isolation cells, tethered to the ceiling by two sets of handcuffs and a chain around his waist. His body was slumped forward, held up by the chains.

Sergeant Boland told the investigators he had entered the cell with two other guards, Specialists Anthony M. Morden and Brian E. Cammack. (All three have been charged with assault and other crimes.) One of them pulled off the prisoner's black hood. His head was slumped to one side, his tongue sticking out. Specialist Cammack said he had put some bread on Mr. Habibullah's tongue. Another soldier put an apple in the prisoner's hand; it fell to the floor.

When Specialist Cammack turned back toward the prisoner, he said in one statement, Mr. Habibullah's spit hit his chest. Later, Specialist Cammack acknowledged, "I'm not sure if he spit at me." But at the time, he exploded, yelling, "Don't ever spit on me again!" and kneeing the prisoner sharply in the thigh, "maybe a couple" of times. Mr. Habibullah's limp body swayed back and forth in the chains.

When Sergeant Boland returned to the cell some 20 minutes later, he said, Mr. Habibullah was not moving and had no pulse. Finally, the prisoner was unchained and laid out on the floor of his cell.

The guard who Specialist Cammack said had counseled him back in New Jersey about the dangers of peroneal strikes found him in the room where Mr. Habibullah lay, his body already cold.

"Specialist Cammack appeared very distraught," Specialist William Bohl told an investigator. The soldier "was running about the room hysterically."

An M.P. was sent to wake one of the medics.

"What are you getting me for?" the medic, Specialist Robert S. Melone, responded, telling him to call an ambulance instead.

When another medic finally arrived, he found Mr. Habibullah on the floor, his arms outstretched, his eyes and mouth open.

"It looked like he had been dead for a while, and it looked like nobody cared," the medic, Staff Sgt. Rodney D. Glass, recalled.

Not all of the guards were indifferent, their statements show. But if Mr. Habibullah's death shocked some of them, it did not lead to major changes in the detention center's operation.

Military police guards were assigned to be present during interrogations to help prevent mistreatment. The provost marshal, Major Atwell, told investigators he had already instructed the commander of the M.P. company, Captain Beiring, to stop chaining prisoners to the ceiling. Others said they never received such an order.

Senior officers later told investigators that they had been unaware of any serious abuses at the B.C.P. But the first sergeant of the 377th, Betty J. Jones, told investigators that the use of standing restraints, sleep deprivation and peroneal strikes was readily apparent.

"Everyone that is anyone went through the facility at one time or another," she said.

Major Atwell said the death "did not cause an enormous amount of concern 'cause it appeared natural."

In fact, Mr. Habibullah's autopsy, completed on Dec. 8, showed bruises or abrasions on his chest, arms and head. There were deep contusions on his calves, knees and thighs. His left calf was marked by what appeared to have been the sole of a boot.

His death was attributed to a blood clot, probably caused by the severe injuries to his legs, which traveled to his heart and blocked the blood flow to his lungs.

#### The Shy Detainee

On Dec. 5, one day after Mr. Habibullah died, Mr. Dilawar arrived at Bagram.

Four days before, on the eve of the Muslim holiday of Id al-Fitr, Mr. Dilawar set out from his tiny village of Yakubi in a prized new possession, a used Toyota sedan that his family bought for him a few weeks earlier to drive as a taxi.

Mr. Dilawar was not an adventurous man. He rarely went far from the stone farmhouse he shared with his wife, young daughter and extended family. He never attended school, relatives said, and had only one friend, Bacha Khel, with whom he would sit in the wheat fields surrounding the village and talk.

"He was a shy man, a very simple man," his eldest brother, Shahpoor, said in an interview.

On the day he disappeared, Mr. Dilawar's mother had asked him to gather his three sisters from their nearby villages and bring them home for the holiday. But he needed gas money and decided instead to drive to the provincial capital, Khost, about 45 minutes away, to look for fares.

At a taxi stand there, he found three men headed back toward Yakubi. On the way, they passed a base used by American troops, Camp Salerno, which had been the target of a rocket attack that morning.

Militiamen loyal to the guerrilla commander guarding the base, Jan Baz Khan, stopped the Toyota at a checkpoint. They confiscated a broken walkie-talkie from one of Mr. Dilawar's passengers. In the trunk, they found an electric stabilizer used to regulate current from a generator. (Mr. Dilawar's family said the stabilizer was not theirs; at the time, they said, they had no electricity at all.)

The four men were detained and turned over to American soldiers at the base as suspects in the attack. Mr. Dilawar and his passengers spent their first night there handcuffed to a fence, so they would be unable to sleep. When a doctor examined them the next morning, he said later, he found Mr. Dilawar tired and suffering from headaches but otherwise fine.

Mr. Dilawar's three passengers were eventually flown to Guantanamo and held for more than a year before being sent home without charge. In interviews after their release, the men described their treatment at Bagram as far worse than at Guantanamo. While all of them said they had been beaten, they complained most bitterly of being stripped naked in front of female soldiers for showers and medical examinations, which they said included the first of several painful and humiliating rectal exams.

"They did lots and lots of bad things to me," said Abdur Rahim, a 26-year-old baker from Khost. "I was shouting and crying, and no one was listening. When I was shouting, the soldiers were slamming my head against the desk."

For Mr. Dilawar, his fellow prisoners said, the most difficult thing seemed to be the black cloth hood that was pulled over his head. "He could not breathe," said a man called Parkhudin, who had been one of Mr. Dilawar's passengers.

Mr. Dilawar was a frail man, standing only 5 feet 9 inches and weighing 122 pounds. But at Bagram, he was quickly labeled one of the "noncompliant" ones.

When one of the First Platoon M.P.'s, Specialist Corey E. Jones, was sent to Mr. Dilawar's cell to give him some water, he said the prisoner spit in his face and started kicking him. Specialist Jones responded, he said, with a couple of knee strikes to the leg of the shackled man.

"He screamed out, 'Allah! Allah! Allah!' and my first reaction was that he was crying out to his god," Specialist Jones said to investigators. "Everybody heard him cry out and thought it was funny."

Other Third Platoon M.P.'s later came by the detention center and stopped at the isolation cells to see for themselves, Specialist Jones said.

It became a kind of running joke, and people kept showing up to give this detainee a common peroneal strike just to hear him scream out 'Allah,'" he said. "It went on over a 24-hour period, and I would think that it was over 100 strikes."

In a subsequent statement, Specialist Jones was vague about which M.P.'s had delivered the blows. His estimate was never confirmed, but other guards eventually admitted striking Mr. Dilawar repeatedly.

Many M.P.'s would eventually deny that they had any idea of Mr. Dilawar's injuries, explaining that they never saw his legs beneath his jumpsuit. But Specialist Jones recalled that the drawstring pants of Mr. Dilawar's orange prison suit fell down again and again while he was shackled.

"I saw the bruise because his pants kept falling down while he was in standing restraints," the soldier told investigators. "Over a certain time period, I noticed it was the size of a fist."

As Mr. Dilawar grew desperate, he began crying out more loudly to be released. But even the interpreters had trouble understanding his Pashto dialect; the annoyed guards heard only noise.

"He had constantly been screaming, 'Release me; I don't want to be here,' and things like that," said the one linguist who could decipher his distress, Abdul Ahad Wardak.

#### The Interrogation

On Dec. 8, Mr. Dilawar was taken for his fourth interrogation. It quickly turned hostile.

The 21-year-old lead interrogator, Specialist Glendale C. Walls II, later contended that Mr. Dilawar was evasive. "Some holes came up, and we wanted him to answer us truthfully," he said. The other interrogator, Sergeant Salcedo, complained that the prisoner was smiling, not answering questions, and refusing to stay kneeling on the



ground or sitting against the wall.

The interpreter who was present, Ahmad Ahmadzai, recalled the encounter differently to investigators.

The interrogators, Mr. Ahmadzai said, accused Mr. Dilawar of launching the rockets that had hit the American base. He denied that. While kneeling on the ground, he was unable to hold his cuffed hands above his head as instructed, prompting Sergeant Salcedo to slap them back up whenever they began to drop.

"Selena berated him for being weak and questioned him about being a man, which was very insulting because of his heritage," Mr. Ahmadzai said.

When Mr. Dilawar was unable to sit in the chair position against the wall because of his battered legs, the two interrogators grabbed him by the shirt and repeatedly shoved him back against the wall.

"This went on for 10 or 15 minutes," the interpreter said. "He was so tired he couldn't get up."

"They stood him up, and at one point Selena stepped on his bare foot with her boot and grabbed him by his beard and pulled him towards her," he went on. "Once Selena kicked Dilawar in the groin, private areas, with her right foot. She was standing some distance from him, and she stepped back and kicked him.

"About the first 10 minutes, I think, they were actually questioning him, after that it was pushing, shoving, kicking and shouting at him," Mr. Ahmadzai said. "There was no interrogation going on."

The session ended, he said, with Sergeant Salcedo instructing the M.P.'s to keep Mr. Dilawar chained to the ceiling until the next shift came on.

The next morning, Mr. Dilawar began yelling again. At around noon, the M.P.'s called over another of the interpreters, Mr. Baerde, to try to quiet Mr. Dilawar down.

"I told him, 'Look, please, if you want to be able to sit down and be released from shackles, you just need to be quiet for one more hour.'"

"He told me that if he was in shackles another hour, he would die," Mr. Baerde said.

Half an hour later, Mr. Baerde returned to the cell. Mr. Dilawar's hands hung limply from the cuffs, and his head, covered by the black hood, slumped forward.

"He wanted me to get a doctor, and said that he needed 'a shot,'" Mr. Baerde recalled. "He said that he didn't feel

good. He said that his legs were hurting."

Mr. Baerde translated Mr. Dilawar's plea to one of the guards. The soldier took the prisoner's hand and pressed down on his fingernails to check his circulation.

"He's O.K.," Mr. Baerde quoted the M.P. as saying. "He's just trying to get out of his restraints."

By the time Mr. Dilawar was brought in for his final interrogation in the first hours of the next day, Dec. 10, he appeared exhausted and was babbling that his wife had died. He also told the interrogators that he had been beaten by the guards.

"But we didn't pursue that," said Mr. Baryalai, the interpreter.

Specialist Walls was again the lead interrogator. But his more aggressive partner, Specialist Claus, quickly took over, Mr. Baryalai said.

"Josh had a rule that the detainee had to look at him, not me," the interpreter told investigators. "He gave him three chances, and then he grabbed him by the shirt and pulled him towards him, across the table, slamming his chest into the table front."

When Mr. Dilawar was unable to kneel, the interpreter said, the interrogators pulled him to his feet and pushed him against the wall. Told to assume a stress position, the prisoner leaned his head against the wall and began to fall asleep.

"It looked to me like Dilawar was trying to cooperate, but he couldn't physically perform the tasks," Mr. Baryalai said. Finally, Specialist Walls grabbed the prisoner and "shook him harshly," the interpreter said, telling him that if he failed to cooperate, he would be shipped to a prison in the United States, where he would be "treated like a woman, by the other men" and face the wrath of criminals who "would be very angry with anyone involved in the 9/11 attacks." (Specialist Walls was charged last week with assault, maltreatment and failure to obey a lawful order; Specialist Claus was charged with assault, maltreatment and lying to investigators. Each man declined to comment.)

A third military intelligence specialist who spoke some Pashto, Staff Sgt. W. Christopher Yonushonis, had questioned Mr. Dilawar earlier and had arranged with Specialist Claus to take over when he was done. Instead, the sergeant arrived at the interrogation room to find a large puddle of water on the floor, a wet spot on Mr. Dilawar's shirt and Specialist Claus standing behind the detainee, twisting up the back of the hood that covered the prisoner's head.

"I had the impression that Josh was actually holding the detainee upright by pulling on the hood," he said. "I was furious at this point because I had seen Josh tighten the hood of another detainee the week before. This behavior

seemed completely gratuitous and unrelated to intelligence collection."

"What the hell happened with that water?" Sergeant Yonushonis said he had demanded.

"We had to make sure he stayed hydrated," he said Specialist Claus had responded.

The next morning, Sergeant Yonushonis went to the noncommissioned officer in charge of the interrogators, Sergeant Loring, to report the incident. Mr. Dilawar, however, was already dead.

#### The Post-Mortem

The findings of Mr. Dilawar's autopsy were succinct. He had had some coronary artery disease, the medical examiner reported, but what caused his heart to fail was "blunt force injuries to the lower extremities." Similar injuries contributed to Mr. Habibullah's death.

One of the coroners later translated the assessment at a pre-trial hearing for Specialist Brand, saying the tissue in the young man's legs "had basically been pulpified."

"I've seen similar injuries in an individual run over by a bus," added Lt. Col. Elizabeth Rouse, the coroner, and a major at that time.

After the second death, several of the 519th Battalion's interrogators were temporarily removed from their posts. A medic was assigned to the detention center to work night shifts. On orders from the Bagram intelligence chief, interrogators were prohibited from any physical contact with the detainees. Chaining prisoners to any fixed object was also banned, and the use of stress positions was curtailed.

In February, an American military official disclosed that the Afghan guerrilla commander whose men had arrested Mr. Dilawar and his passengers had himself been detained. The commander, Jan Baz Khan, was suspected of attacking Camp Salerno himself and then turning over innocent "suspects" to the Americans in a ploy to win their trust, the military official said.

The three passengers in Mr. Dilawar's taxi were sent home from Guantanamo in March 2004, 15 months after their capture, with letters saying they posed "no threat" to American forces.

They were later visited by Mr. Dilawar's parents, who begged them to explain what had happened to their son. But the men said they could not bring themselves to recount the details.

"I told them he had a bed," said Mr. Parkhudin. "I said the Americans were very nice because he had a heart problem."

In late August of last year, shortly before the Army completed its inquiry into the deaths, Sergeant Yonushonis, who was stationed in Germany, went at his own initiative to see an agent of the Criminal Investigation Command. Until then, he had never been interviewed.

"I expected to be contacted at some point by investigators in this case," he said. "I was living a few doors down from the interrogation room, and I had been one of the last to see this detainee alive."

Sergeant Yonushonis described what he had witnessed of the detainee's last interrogation. "I remember being so mad that I had trouble speaking," he said.

He also added a detail that had been overlooked in the investigative file. By the time Mr. Dilawar was taken into his final interrogations, he said, "most of us were convinced that the detainee was innocent."

Photos: Dilawar, at left, was an Afghan farmer and taxi driver who died while in custody of American troops. Below, a sketch by Thomas V. Curtis, a former Reserve M.P. sergeant, showing how Dilawar was chained to the ceiling of his cell. (pg. A1); Shahpoor visiting the grave of his brother Dilawar, who died in 2002 after mistreatment by soldiers at the Bagram detention facility. Most of his interrogators were said to believe he was innocent of any insurgent activity. (Photographs by Keith Bedford for The New York Times)(pg. A12); Asaldin holding Bibi Rashida, 3, daughter of his son Dilawar, at home in Yakubi. Army coroners ruled Dilawar's death a homicide.; Troops at the American base in Bagram, which houses a prison for suspected Taliban and Qaeda fighters. Photo directly above shows part of a copy of the death certificate for Dilawar, the 22-year-old farmer and part-time taxi driver who died there. (pg. A13)

Chart: "Along the Chain of Command, Confusion and Contradiction"

Statements below show differing perceptions of permissible conduct toward detainees.

Gen. Daniel K. McNeill  
Commander of allied forces in Afghanistan

INTERVIEW WITH THE NEW YORK TIMES, FEB. 7, 2003

"We are not chaining people to the ceilings . . . I will say that our interrogation techniques are adapted, they are in accordance with what is generally accepted as interrogation techniques."

Col. Theodore C. Nicholas II  
Director of intelligence for the American task force in Afghanistan

STATEMENT TO ARMY INVESTIGATORS, JUNE 11, 2004

"I did not put pressure on the interrogation cell to violate standards to gain information. I would rather not receive the information than harm an individual to produce it."

Capt. Britton T. Hopper  
Company commander 519th Military Intelligence Battalion, Bagram, Aug. 2002-Jan. 2003

## STATEMENT TO ARMY INVESTIGATORS, AUG. 2, 2004

"There was a lot of pressure to get more intelligence . . . coming from top down, and probably the perception, on occasion, was that we weren't being as aggressive as we should have been."

Capt. Carolyn A. Wood

Operations officer in charge of interrogations at Bagram Control Point, July 2002-Jan. 2003

## STATEMENT IN COMMANDERS CLASSIFIED INVESTIGATION, JAN. 17, 2004

"Would like to get additional legal guidance. We would like to know what our left and right limits are in respect to stress positions and sleep adjustment, for instance."

Former Sgt. James A. (Alex) Leahy

Interrogation team leader

## STATEMENT TO ARMY INVESTIGATORS, JAN. 15, 2004

"Due to the lack of clear policy concerning the legality of safety positions and the sleep adjustment schedules, we did not keep records of it."

(pg. A12)

## --- INDEX REFERENCES ---

COMPANY: PENTAGON LTD

NEWS SUBJECT: (Legal (1LE33); Judicial (1JU36); Prisons (1PR87); Economics & Trade (1EC26))

REGION: (Afghanistan (1AF45); Americas (1AM92); North America (1NO39); Asia (1AS61); Western Europe (1WE41); Latin America (1LA15); Cuba (1CU43); Middle East (1MI23); Europe (1EU83); Central Europe (1CE50); USA (1US73); Gulf States (1GU47); Switzerland (1SW77); Utah (1UT90); Iraq (1IR87); Caribbean (1CA06); Arab States (1AR46); Western Asia (1WE54))

Language: EN

OTHER INDEXING: (Golden, Tim) (377TH; 377TH MILITARY POLICE CO; ALLAH; ARMY; ARMY FIELD; COMMANDERS; CONVENTIONS; GENEVA CONVENTIONS; INTERNATIONAL COMMITTEE; MILITARY INTELLIGENCE BATTALION; NEW YORK TIMES; PASHTO; PENTAGON; RED CROSS; SAUDI; SHY DETAINEE; TALIBAN; TESTOSTERONE GANG; UTAH; UTAH NATIONAL GUARD) (A1; Abdul Ahad Wardak.; Abdur Rahim; Afghan; Ahmad Ahmadzai; Ahmadzai; Al Qaeda; Alan J. Driver Jr.; Alex; Ali M. Baryalai; Anthony M. Morden; Atwell; Bacha Khel; Baerde; Baryalai; Beiring; Betty J. Jones; Bibi Rashida; Bobby R. Atwell; Boland; Brian E. Cammack; Britton T. Hopper; Built; Bush; Callaway; Cammack; Camp Salerno; Carolyn A. Wood; Christopher M. Beiring; Corey E. Jones; Corsetti; Damien M. Corsetti; Daniel K. McNeill; Dilawar; Donald H. Rumsfeld; Drink; Driver; Ebrahim Baerde; Efforts; Elizabeth Rouse; Eric H. Barclais; Eric LaHammer; Fifteen; Fitr; Habibullah; James A.; James A. Leahy; James P. Boland; Jan; Jan Baz Khan; Jeremy M. Callaway; John P. Galligan; John W. Loffert Jr.; Jones; Josh; Joshua R. Claus; Keith Bedford; Khan; Larry Di Rita; Leahy; Leave; Loring; Major Atwell; Militiamen; Parkhudin; Platoon M.P.; Qaeda; Reserve M.P.; Retrofitted; Robert S. Melone; Rodney D. Glass; Salcedo; Selena; Selena M. Salcedo; Shahpoor;

Specialist; Specialist Brand; Specialist Callaway; Specialist Cammack; Specialist Claus; Specialist Corsetti; Specialist Glendale; Specialist Jones; Specialist Walls; Steven W. Loring; Theodore C. Nicholas; Thomas V. Curtis; W. Christopher Yonushonis; Walls; William Bohl; Willie V. Brand; Wood; Yonushonis) (United States International Relations; United States Armament and Defense; Surveys and Series) (Series) (Afghanistan; Bagram (Afghanistan); Afghanistan; Afghanistan)

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5/20/05 NYT A1

END OF DOCUMENT

# Exhibit W

**List of detainees who went through complete CSRT process  
(All detainees who went through Round 1 of ARB process are also found on this list)**

	Short ISN	Name	Citizenship
1	002	HICKS, DAVID MICHAEL	Australia
2	003	RUHANI, GHOLAM	Afghanistan
3	004	WASIQ, ABDUL HAQ	Afghanistan
4	005	AL MATRAFI, ABDALLAH AIZA	Saudi Arabia
5	006	NOORI, MULLAH NORULLAH	Afghanistan
6	007	FAZL, MULLAH MOHAMMAD	Afghanistan
7	008	RASOUL, ABDULLAH GULAM	Afghanistan
8	010	SATTAR, ABDUL	Pakistan
9	013	MOHAMED, FAHED NASSER	Saudi Arabia
10	015	UL SHAH, ZIA	Pakistan
11	017	KHAN, MUHAMMED IJAZ	Pakistan
12	022	HAMIDUVA, SHAKHRUKH	Uzbekistan
13	024	ABASSI, FEROZ ALI	U.K.
14	025	AL JOUDI, MAJEED ABDULLAH	Saudi Arabia
15	026	GHAZI, FAHED ABDULLAH AHMAD	Yemen
16	027	UTHMAN, UTHMAN ABDUL RAHIM MOHAMMED	Yemen
17	028	AL ALAWI, MUAZ HAMZA AHMAD	Yemen
18	029	AL ANSI, MUHAMMAD AHMAD ABDALLAH	Yemen
19	030	AL HIKIMI, AHMED UMAR ABDULLAH	Yemen
20	031	ABD AL MUJAHID, MAHMOUD ABD AL AZIZ	Yemen
21	032	AHMED, FARUQ ALI	Yemen
22	033	AL EDAH, MOHAMMED AHMAD SAID	Yemen
23	034	AL YAFI, AL KHADR ABDALLAH MUHAMMED	Yemen
24	035	QADER IDRIS, IDRIS AHMED ABDO	Yemen
25	036	IDRIS, IBRAHIM OTHMAN IBRAHIM	Yemen
26	037	ABD AL WAHAB, ABD AL MALIK	Yemen
27	038	AL YAZIDI, RIDAH BIN SALEH	Tunisia
28	039	AL BAHLUL, ALI HAMZA AHMED SULEIMAN	Yemen
29	040	AL MUDHAFFARI, ABDEL QADIR HUSSEIN	Yemen
30	041	AHMAD, MAJID MAHMUD ABDO	Yemen
31	042	SHALABI, ABDUL RAHMAN	Saudi Arabia
32	043	MOQBEL, SAMIR NAJI AL HASAN	Yemen
33	044	ABU GHANIM, MOHAMMED RAJAB SADIQ	Yemen
34	045	AL RAHIZI, ALI AHMAD MUHAMMAD	Yemen
35	046	ABDALLAH, SAYF BIN	Tunisia
36	048	ALHAMIRI, ABDULAH	UAE
37	049	AL AASMI, ASSEM MATRUQ MOHAMMAD	Saudi Arabia
38	050	AL HUSAYN, ZAID MUHAMAMD SA'AD	Jordan
39	051	BARAYAN, MAJID AL	Saudi Arabia
40	052	AL MURBATI, ISSA ALI ABDULLAH	Bahrain
41	053	AL MAHAYAWI, SAUD DAKHIL ALLAH MUSLIH	Saudi Arabia
42	054	AL QOSI, IBRAHIM AHMED MAHMOUD	Sudan
43	055	AL ZAYLA, MUHAMMED YAHIA MOSIN	Saudi Arabia
44	057	AL HARBI, SALIM SULIMAN	Saudi Arabia
45	058	AL WAHAB, MUSA ABED	Saudi Arabia
46	059	AL UWAYDHA, SULTAN AHMED DIRDEER MUSA	Saudi Arabia
47	060	AL WADI, ADIL KAMIL ABDULLAH	Bahrain
48	061	KARNAZ, MURAT	Turkey
49	062	AL JUHANI, MUHAMAD NAJI SUBHI	Saudi Arabia
50	063	AL QAHTANI, MUHAMMAD MANI AHMED AL SHAL LAN	Saudi Arabia
51	064	SEBAIL, ABDEL HADI MOHAMMED BADAN AL SEBAIL	Saudi Arabia
52	065	AMIN, OMAR RAJAB	Kuwait



**List of detainees who went through complete CSRT process  
(All detainees who went through Round 1 of ARB process are also found on this list)**

	<b>Short ISN</b>	<b>Name</b>	<b>Citizenship</b>
53	066	AL SULAMI, YAHYA SAMIL AL SUWAYMIL	Saudi Arabia
54	067	AL TAMINI, ABD AL RAZZAQ ABDALLAH IBRAHIM	Saudi Arabia
55	068	AL BAWARDI, KHALID SAUD ABD AL RAHMAN	Saudi Arabia
56	069	ISMAIL, SADEQ MUHAMMAD SA ID	Yemen
57	070	HOUARI, ABDUL RAHAM	Algeria
58	072	IKASSRIN, LAACIN	Morocco
59	073	NUR, YUSIF KHALIL ABDALLAH	Saudi Arabia
60	074	AL RASHID, MESH ARSAD	Saudi Arabia
61	075	LAHASSIHI, NAJEB	Morocco
62	076	((SHARIPOV)), RUKNIDDIN FAYZIDDINOVICH	Tajikistan
63	077	FAZROLLAH, MEHRABANB	Tajikistan
64	078	AL HANASHI, MOHAMMAD AHMED ABDULLAH SALEH	Yemen
65	079	AL HARAZI, FAHED	Saudi Arabia
66	081	ALI, WALID MOHAMMAD HAJ MOHAMMAD	Sudan
67	084	BATAYEV, ILKHAM TURDBYAVICH	Uzbekistan
68	088	AWAD, WAQAS MOHAMMED ALI	Yemen
69	089	TSIRADZHO, POOLAD T	Azerbaijan
70	090	(VAKHIDOV) SOBIT (ABDUMUKIT) VALIKHONOVICH	Tajikistan
71	091	AL SALEH, ABDUL	Yemen
72	093	AL ZAHRANI, YASSER TALAL	Saudi Arabia
73	094	AL SEHLI, IBRAHIM DAIF ALLAH NEMAN	Saudi Arabia
74	095	AHMED, ABDUL RAHMAN UTHMAN	Saudi Arabia
75	096	AL UTAYBI, MUHAMMAD SURUR DAKHILALLAH	Saudi Arabia
76	102	MOHAMMED, NAG	China
77	103	MAHMUD, ARKIN	China
78	105	ALI, ADNAN MOHAMMED	Saudi Arabia
79	108	ALIZA, ABDUL RAUF	Afghanistan
80	109	AL RABIESH, YUSEF ABDULLAH SALEH	Saudi Arabia
81	111	TAYEEA, ALI ABDUL MOTALIB AWAYD HASSAN AL	Iraq
82	112	AL KHALDI, ABDUL AZIZ SAAD	Saudi Arabia
83	114	AL SHIHRI, YUSSEF MOHAMMED MUBARAK	Saudi Arabia
84	115	SALEH NASER, ABDUL RAHMAN MOHAMED	Yemen
85	117	AL WARAFI, MUKTAR YAHYA NAJEE	Yemen
86	118	KAHM, ABDUL RAHMAN ABDULLAH MOHAMED JUMA	Afghanistan
87	120	RASOOL, HABIB	Afghanistan
88	121	MOHAMMED, SALMAN SAAD AL KHADI	Saudi Arabia
89	122	AL ATABI, BIJAD THIF ALLAH	Saudi Arabia
90	123	HASSAN, MUHAMMAD HUSSEIN ALI	Morocco
91	126	SAID, SALAM ABDULLAH	Saudi Arabia
92	128	AL BIHANI, GHALEB NASSAR	Yemen
93	129	AL-MARWA'I, TOUFIG SABER MUHAMMAD	Yemen
94	130	SULTAN, FAHA	Saudi Arabia
95	131	BEN KEND, SALEM AHMED	Yemen
96	132	AL SHIHRI, ABD AL SALAM GHAYTAN MURAYYIF AL ZAYDA	Saudi Arabia
97	142	FAZALDAD	Pakistan
98	148	BIN HAMIDA, ADIL MABROUK	Tunisia
99	149	HAMDAN, SALIM AHMED SALIM	Yemen
100	150	BOUJAADIA, SAID	Morocco
101	151	HASHEM, MUBARAK HUSSAIN BIN ABUL	Bangladesh
102	152	AL KHALAQI, ASIM THAHIT ABDULLAH	Yemen
103	153	SULEIMAN, FAYIZ AHMAD YAHIA	Yemen
104	154	AL AWFI, MAZIN SALIH MUSAID	Saudi Arabia
105	155	AL HUBAYSHI, KHALID SULAYMANJAYDH	Saudi Arabia

**List of detainees who went through complete CSRT process  
(All detainees who went through Round 1 of ARB process are also found on this list)**

	Short ISN	Name	Citizenship
106	156	ABD AL RAHMAN ABD, ALLAL AB ALJALLIL	Yemen
107	157	AL MALKI, SAED KHATEM	Saudi Arabia
108	158	AL HARBI, MAJID ABDALLAH HUSAYN MUHAMMAD AL SAM	Saudi Arabia
109	159	AL NOAIMI, ABDULLAH	Bahrain
110	160	BEN MOUJAN, MUHAMMAD	Morocco
111	162	AL TAYS, ALI HUSAYN ABDULLAH	Yemen
112	163	AL QADASI, KHALID ABD JAL JABBAR MUHAMMAD JUTHM	Yemen
113	165	AL BUSAYSS, ADIL SAID AL HAJ OBEID	Yemen
114	167	AL RAIMI, ALI YAHYA MAHDI	Yemen
115	168	SHAHEEN, MUHAMMED IBN ARFAN	Tunisia
116	170	MASUD, SHARAF AHMAD MUHAMMAD	Yemen
117	171	ALAHDAL, ABU BAKR IBN ALI MUHAMMAD	Yemen
118	172	MOHAMMED, ALI MUHAMMED NASIR	Saudi Arabia
119	173	KHALID, RIDOUANE	France
120	174	SLITI, HISHAM BIN ALI BIN AMOR	West Bank
121	175	SAID, HASSAN MUJAMMA RABAI	Algeria
122	176	AL QURAYSHI, MAJID AYDHA MUHAMMAD	Saudi Arabia
123	177	AL JUTAYLI, FAHD SALIH SULAYMAN	Saudi Arabia
124	178	BAADA, TAREQ ALI ABDULLAH AHMED	Yemen
125	179	AL JUAID, ABDUL RAHMAN OWAID MOHAMMAD	Saudi Arabia
126	181	AL SHIMRI, MAJI AFAS RADHI	Saudi Arabia
127	182	AL JABRI, BANDAR AHMAD MUBARAK	Saudi Arabia
128	183	AL JAYFI, ISSAM HAMID AL BIN ALI	Yemen
129	184	AL OMAIRAH, OTHMAN AHMED OTHMAN	Yemen
130	185	TURKI MASH AWI ZAYID AL ASIRI	Saudi Arabia
131	186	BALKHAIR, RASHED AWAD KHALAF	Saudi Arabia
132	187	MAKRAM, MURTADHA AL SAID	Saudi Arabia
133	188	AL FAYFI, JABIR JUBRAN	Saudi Arabia
134	189	GHEREBY, SALEM ABDUL SALEM	Libya
135	190	AL MISHAD, SHARIF FATI ALI	Egypt
136	191	JAID AL KHATHAMI, SALEH ALI	Saudi Arabia
137	192	ARBAYSH, IBRAHIMJ SULAYMAN MUHAMMAD	Saudi Arabia
138	193	MOQBILL, MUHSIN MUHAMMAD MUSHEEN	Yemen
139	194	MUHAMMAD ABD ALLAH MANSUR AL FUTURI	Libya
140	195	AL SHUMRANI, MOHAMMAD AL RAHMAN	Saudi Arabia
141	196	MUSA BIN ALI BIN SAID AL AMRI	Saudi Arabia
142	197	SHOKURI, YUNIS ABDURRAHMAN	Morocco
143	198	AL ASADI, MOHAMMED AHMED ALI	Yemen
144	199	AL AMRI, ABDUL RAHMAN MA ATH THAFIR	Saudi Arabia
145	200	QAHTANI, SAID MUHAMMAD HUSYAN	Saudi Arabia
146	201	TOURSON, AHMAD	China
147	202	BIN ATEF, MAHMMOUD OMAR MOHAMMED	Yemen
148	204	AL ZAHRANI, SAID IBRAHIM RAMZI	Saudi Arabia
149	205	AMTIRI, NASSER NAJIRI	Kuwait
150	206	ABDEL AZIZ, ABDULLAH MUHAMMED	Saudi Arabia
151	207	ALHABIRI, MISHAL AWAD SAYAF	Saudi Arabia
152	208	SALEHOVE, MAROOF SALEEMOVICH	Tajikistan
153	213	AL HAMEYDANI, KHALID BIN ABDULLAH MISHAL THAMER	Kuwait
154	214	AL KURASH, MUHAMMAD ABD AL RAHMAN	Saudi Arabia
155	215	AL SHARIF, FAHD UMR ABD AL MAJID	Saudi Arabia
156	216	AL KABI, JAMIL ALI	Saudi Arabia
157	217	AL SHAMMERI, ABD AL AZIZ SAYER UWAIN	Kuwait
158	218	AL FOUZAN, FAHD MUHAMMED ABDULLAH	Saudi Arabia

**List of detainees who went through complete CSRT process  
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	Short ISN	Name	Citizenship
159	219	RAZAK, ABDUL	China
160	220	AL AJMI, ABDALLAH SALEH ALI	Kuwait
161	221	SALIH, ALI MOHSEN	Yemen
162	222	AL KUNDUZI, UMAR ABDULLAH	Afghanistan
163	223	SULAYMAN, ABDUL RAHMAN ABDUL ABU GHIYTH	Yemen
164	224	MUHAMMAD, ABD AL RAHMAN ABDULLAH ALI	Yemen
165	225	AL SHULAN, HANI ABDUL MUSLIH	Yemen
166	226	AL NURR, ANWAR	Saudi Arabia
167	227	AL BALUSHI, SALAH ABDUL RASUL ALI ABDUL RAHMAN	Bahrain
168	228	KAMEL, ABDULLAH KAMEL ABUDALLAH	Kuwait
169	229	AL DAIHANI, MOHAMMED FENAITEL MOHAMED	Kuwait
170	230	HUMUD DAKHIL HUMUD SA'ID AL-((JAD'AN	Saudi Arabia
171	231	AL SHARAKH, ABDULHADI ABDALLAH IBRAHIM	Saudi Arabia
172	232	AL AWDA, FOUZI KHALID ABDULLAH	Kuwait
173	233	SALIH, ABDUL AL RAZZAQ MUHAMMAD	Yemen
174	234	AL ZAHARNI, KHALID MOHAMMED	Saudi Arabia
175	235	JARABH, SAEED AHMED MOHAMMED ABDULLAH SAREM	Yemen
176	236	MUSTAFA, KHALED BEN	France
177	237	SOULEIMANI LAALAMI, MOHAMMED	Morocco
178	238	HADJARAB, NABIL	Algeria
179	239	AMI, SHAKIR ABDURAHIM MOHAMED	Saudi Arabia
180	240	AL SHABLI, ABDULLAH YAHIA YOUSF	Saudi Arabia
181	242	QASIM, KHALED	Yemen
182	243	AL UTAYBI, ABDULLAH ALI	Saudi Arabia
183	244	NASIR, ABDUL LATIF	Morocco
184	245	AL SILM HAJI HAJJAJ AWWAD AL HAJJAJI	Saudi Arabia
185	246	AL KHALIFA, SHEIKH SALMAN EBRAHIM MOHAMED ALI	Bahrain
186	248	AL OSHAN, SALEH ABDALL	Saudi Arabia
187	249	AL HAMIRI, MOHAMMED ABDULLAH	Yemen
188	250	ANVAR, HASSAN	China
189	251	BIN SALEM, MUHAMMAD SAID	Yemen
190	252	BASARDAH, YASIM MUHAMMED	Yemen
191	253	AL ANSARI, FARIS MUSLIM	Afghanistan
192	254	KHENAINA, MUHAMMAD ALI HUSSEIN	Yemen
193	255	HATIM, SAID MUHAMMED SALIH	Yemen
194	256	AL RADA, RIYAD ATIQ ALI ABDO AL HAJ	Yemen
195	257	ABDULAYEV, OMAR HAMZAYAVICH	Tajikistan
196	258	IBRAHIM, NAYIF ABDALLAH IBRAHIM	Saudi Arabia
197	259	HINTIF, FADIL HUSAYN SALIH	Yemen
198	260	ADIL, AHMED	China
199	261	AL DOSARI, JUMA MOHAMMED ABDUL LATIF	Bahrain
200	262	AL WAFTI, ABDULLAH ABD AL MU'IN	Saudi Arabia
201	263	SULTAN, ASHRAF SALIM ABD AL SALAM	Libya
202	264	AL BADDAH, ABDUL AZIZ ABDUL RAHMAN ABDUL AZIZ	Saudi Arabia
203	265	AL HARBI, TARIQE SHALLAH HASSAN	Saudi Arabia
204	266	ABDALLAH MUHAMMAD SALIH AL GHANIMI	Saudi Arabia
205	268	AL HATAYBI, ABDUL RAHMAN NASHI BADI	Saudi Arabia
206	269	MUHAMMAD HAMID AL QARANI	Chad
207	270	ZEMMORI, MOSA ZI	Belgium
208	271	AL NASIR, IBRAHIM MUHAMMED IBRAHIM	Saudi Arabia
209	272	AL BAHUTH, ZIYAD SALIH MUHAMMAD	Saudi Arabia
210	273	AL NASIR, ABD AL AZIZ MUHAMMAD IBRAHIM	Saudi Arabia
211	274	AL SAMIRI, BADER AL BAKRI	Saudi Arabia

**List of detainees who went through complete CSRT process  
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	Short ISN	Name	Citizenship
212	275	ABBAS, YUSEF	China
213	276	BASIT, AKHDAR QASEM	China
214	277	MAHNUT, BAHTIYAR	China
215	278	MAMUT, ABDUL HELIL	China
216	279	AYUB, HAJI MOHAMMED	China
217	280	KHALIK, SAIDULLAH	China
218	281	ABDUL RAHMAN, ABDUL GHAPPAR	China
219	282	ABDULGHUPUR, HAJIAKBAR	China
220	283	QASIM, ABU BAKR	China
221	284	AL QADIR, MOHAMMED ABD AL	Algeria
222	285	ABDULQADIRAKHUN, ABDULLAH	China
223	286	JAHDARI, ZIAD SAID FARG	Saudi Arabia
224	287	ALLAITHY, SAMI ABDUL AZIZ SALIM	Egypt
225	288	SAYAB, MUTIJ SADIZ AHMAD	Algeria
226	289	ABDUREHIM, DAWUT	China
227	290	BEL BACHA, AHMED BIN SALEH	Algeria
228	292	FEGHOUL, ABDULLI	Algeria
229	293	ABDULHEHIM, ADEL	China
230	295	ABDULAHAT, EMAM	China
231	296	SEN, MESUT	Belgium
232	298	UYAR, SALIH	Turkey
233	299	RAZA, ABID	Pakistan
234	301	HAFEZ, KHALIL RAHMAN	Pakistan
235	306	ZAEFF, ABDUL SALAM	Afghanistan
236	307	KHANTUMANI, ABD AL NASIR MUHAMMAD ABD AL QADIR	Syria
237	308	AL NUSAYRI, ADIL UQLA HASSAN	Saudi Arabia
238	309	ABD AL SATTAR, MUIEEN A DEEN JAMAL A DEEN ABD AL F	U.A.E.
239	310	AMEZIANE, DJAMEL SAIID ALI	Algeria
240	311	FARHI, SAIID	Algeria
241	312	KHANTUMANI, MUHAMMAD ABD AL NASIR MUHAMMAD	Syria
242	317	DOKHAN, MOAMMAR BADAWI	Syria
243	318	AL TAIBI, RAMI BIN SAID	Saudi Arabia
244	319	SEBAI, MOHAMMED JAYED	Saudi Arabia
245	320	PARHAT, HOZAIFA	China
246	321	SAID KUMAN, AHMED YASLAM	Yemen
247	322	AL BARAKAT, KHALID HASSAN HUSAYN	Saudi Arabia
248	324	AL SABRI, MASHUR ABDALLAH MUQBIL AHMED	Yemen
249	326	AJAM, AHMED ADNAN MUHAMMAD	Syria
250	327	SHAABAN, ALI HUSEIN MUHAMMAD	Syria
251	328	MOHAMED, AHMED	China
252	329	FARAJ, ABD AL HADIO OMAR MAHMOUD	Syria
253	330	MOUHAMMAD, MAASOUM ABDAH	Syria
254	331	AL SHURFA, OHMED AHMED MAHAMOUD	Saudi Arabia
255	332	AL TAYABI, ABDULLAH	Saudi Arabia
256	333	AL HARBI, MOHAMED ATIQ AWAYD	Saudi Arabia
257	334	AL MARRI, JARALLA SALEH MOHAMMED KAHLA	Qatar
258	335	MOHAMMED, KAHLID SAAD	Saudi Arabia
259	336	AL FRIH, MAJED HAMAD	Saudi Arabia
260	337	AL BIDNA, SA AD IBRAHAM SA AD	Saudi Arabia
261	338	WASIM	Saudi Arabia
262	339	AL MORGHI, KHALID ABDALLAH ABDEL RAHMAN	Saudi Arabia
263	340	AL DUBAIKEY, BESSAM MUHAMMED SALEH	Saudi Arabia
264	341	AL FARHA, SAID ALI	Saudi Arabia

**List of detainees who went through complete CSRT process  
(All detainees who went through Round 1 of ARB process are also found on this list)**

	Short ISN	Name	Citizenship
265	342	AL QURBI, MOHAMMED MUBAREK SALAH	Saudi Arabia
266	343	AL RUSHAYDAN, ABDALLAH IBRAHIM	Saudi Arabia
267	344	QA ID, RASHID ABD AL MUSLIH QA ID AL	Saudi Arabia
268	345	AL HAJJ, SAMI MOHY EL DIN MUHAMMED	Sudan
269	346	SHAYBAN, SAID BEZAN ASHEK	Saudi Arabia
270	357	RAHMAN, ABDUL 4	Afghanistan
271	368	HAWSAWI, AMRAN BAQUR MOHAMMED	Saudi Arabia
272	369	ALGAZZAR, ADEL FATTOUGH ALI	Egypt
273	370	AL HIZANI, ABD	Saudi Arabia
274	372	SA ID ALI JABIR AL KHATHIM AL SHIHRI	Saudi Arabia
275	433	SADKHAN, JAWAD JABBER	Iraq
276	434	AL SHAMYRI, MUSTAFA ABDUL QAWI ABDUL AZIZ	Yemen
277	435	ABDUL SAID, HASSAN	Iraq
278	436	AL USAYMI, NAYIF FAHD MUTLIQ	Saudi Arabia
279	437	AL NASIR, FAIZAL SAHA	Saudi Arabia
280	438	AL KHALIF, HANI SAIID MOHAMMAD	Saudi Arabia
281	439	AL GHATANI, KHALID MALU SHIA	Saudi Arabia
282	440	BWAZIR, MOHAMMED ALI ABDULLAH	Yemen
283	441	AL ZAHRI, ABD AL RAHMAN	Yemen
284	452	JAMALUDINOVICH, ABU BAKIR	Uzbekistan
285	455	HAMIDULLAH, ALI SHER	Uzbekistan
286	457	GUL, MOHAMMAD	Afghanistan
287	458	SARAJUDDIN, ABIB	Afghanistan
288	459	ZAMAN, GUL	Afghanistan
289	460	ZAMAN, KHAN	Afghanistan
290	461	QYATI, ABDUL RAHMAN UMIR AL	Yemen
291	489	JANKO, ABD AL RAHIM ABDUL RASSAK	Syria
292	491	TURKISTANI, SADIK AHMAD	Saudi Arabia
293	493	BUKHARY, ABDUL HAKIM	Saudi Arabia
294	494	NOORALLAH, HAJI	Afghanistan
295	495	RAFIQ, MOHAMMED	Pakistan
296	496	RAHMAN, FIZAULLA	Afghanistan
297	497	SUBII, NASIR MAZIYAD ABDALLAH AL QURAYSHI AL	Saudi Arabia
298	498	HAIDEL, MOHAMMED AHMED SAID	Yemen
299	501	AL OTAIBI, NAWAF FAHAD	Saudi Arabia
300	502	OURGY, ABDUL BIN MOHAMMED BIN ABESS	Tunisia
301	503	AL ZUBA, SALEH MOHAMED	Yemen
302	505	AL MURI, KHALID RASHD ALI	Saudi Arabia
303	506	AL DHUBY, KHALID MOHAMMED SALIH	Yemen
304	507	AL ANAZI, SULTAN SARI SAYEL	Saudi Arabia
305	508	RABEII, SALMAN YAHYA HASSAN MOHAMMED	Yemen
306	509	KHUSRUF, MOHAMMED NASIR YAHYA	Yemen
307	510	NASSERI, RIYAD BIL MOHAMMMED TAHIR	Tunisia
308	511	AL NAHDI, SULAIMAN AWATH SULAIMAN BIN AGEEL	Yemen
309	513	KHOWLAN, ABDUL RAHMAN MOHAMMED HUSSEIN	Saudi Arabia
310	514	THANI, ABDALLAH FARIS AL UNAZI	Saudi Arabia
311	516	AL HARBI, GHANIM ABDUL RAHMAN	Saudi Arabia
312	519	AL QUWARI, MAHRAR RAFAT	West Bank
313	521	KERIMBAKIEV, ABDULRAHIM	Kazakhstan
314	522	ISMAIL, YASIN QASEM MUHAMMAD	Yemen
315	526	ABAHANOV, YAKUB	Kazakhstan
316	527	DAOUD, MOHAMMAN	Afghanistan
317	528	MAGRUPOV, ABDULLAH TOHTASINOVICH	Kazakhstan

**List of detainees who went through complete CSRT process**  
**(All detainees who went through Round 1 of ARB process are also found on this list)**

	Short ISN	Name	Citizenship
318	530	GUL, DAWD	Afghanistan
319	532	SHARIF, MOHAMMED	Afghanistan
320	533	ZUMIRI, HASSAN	Algeria
321	535	AL SAWAH, TARIQ MAHMOUD AHMED	Bosnia
322	536	AL HARBI, MOHAMMED ABDULLAH	Saudi Arabia
323	537	AL ALI, MAHMUD SALEM HORAN MOHAMMED MUTLAK	Syria
324	546	MUHIBULLAH,	Afghanistan
325	549	AL DAYI, OMAR SAID SALIM	Yemen
326	550	ZAID, WALID SAID BIN SAID	Yemen
327	551	AL RABIA, FOUAD MAHOUD HASAN	Kuwait
328	552	AL KANDARI, FAIZ MOHAMMED AHMED	Kuwait
329	553	AL BEDANI, ABDUL KHALED AHMED SAHLEH	Saudi Arabia
330	554	AL SANI, FAHMI SALEM SAID	Yemen
331	555	MUHAMMED, ABDUL MAJID	Iran
332	556	KHAN, ABDULLAH MOHAMMAD	Uzbekistan
333	557	BIN QUMU, ABU SUFIAN IBRAHIM AHMED HAMUDA	Libya
334	558	BEGG, MOAZZAN	U.K.
335	560	MOHAMMED, HAJI WALI	Afghanistan
336	561	MUSLIMDOST, ABDUL RAHIM	Afghanistan
337	562	PEERZAI, QARI HASAN ULLA	Afghanistan
338	564	AWAD, JALAL SALAM AWAD	Yemen
339	565	AL MOUSA, ABDUL HAKIM ABDUL RAHMAN ABDUAZIZ	Saudi Arabia
340	566	QATTAA, MANSOOR MUHAMMED ALI	Saudi Arabia
341	567	BARRE, MOHAMMED SULAYMON	Somalia
342	568	AL ZAMEL, ADEL ZAMEL ABD AL MAHSEN	Kuwait
343	569	AL SHARABI, ZUHAIL ABDO ANAM SAID	Yemen
344	570	AL QURASHI, SABRI MOHAMMED EBRAHIM	Yemen
345	571	AL AZMI, SA AD MADHI SA AD HOWASH	Kuwait
346	572	AL ZABE, SLAH MUHAMED SALIH	Saudi Arabia
347	574	AL WADY, HAMOUD ABDULLAH HAMOUD HASSAN	Yemen
348	575	AZANI, SAAD MASIR MUKBL AL	Yemen
349	576	HAMDOUN, ZAHAR OMAR HAMIS BIN	Yemen
350	577	MAR'I, JAMAL MUHAMMED 'ALAWI	Yemen
351	578	AL SUADI, ABDUL AZIZ ABDULLAH ALI	Yemen
352	579	KHAIRKHA, KHIRULLAH SAID WALI	Afghanistan
353	581	RAHMAN, SHED ABDUR	Pakistan
354	584	NOORI, ADEL	China
355	586	KHAMSAN, KARAM KHAMIS SAYD	Yemen
356	588	AL TABI, MANA SHAMAN ALLABARDI	Saudi Arabia
357	589	ABDUL WAHAB AL ASMR, KHALID MAHOMOUD	Jordan
358	590	RASHIDI, AHMED	Morocco
359	591	ESMHATULLA, QARI	Afghanistan
360	627	BATARFI, AYMAN SAEED ABDULLAH	Yemen
361	631	WAZIR, PADSHA	Afghanistan
362	647	AL SHAMAREE, ZABAN THAAHER ZABAN	Saudi Arabia
363	649	PATEL, MUSTAQ ALI	France
364	650	AL QAHTANI, JABIR HASAN MUHAMED	Saudi Arabia
365	651	KABIR, USAMA HASSAN AHMED ABU	Jordan
366	652	AL QAHTANI, ABDULLAH HAMID	Saudi Arabia
367	653	AL KARIM, ARKAN MOHAMMAD GHAFIL	Iraq
368	654	AL GHAZZAWI, ABDEL HAMID IBN ABDUSSALEM IBN MIFTA	Libya
369	655	DAD, KHUDAI	Afghanistan
370	659	ABDENOUR, SAMEUR	Algeria

**List of detainees who went through complete CSRT process  
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	Short ISN	Name	Citizenship
371	660	LAGHA, LUFTI BIN SWEI	Tunisia
372	661	HABIB, MAMDOUH IBRAHIM AHMED	Australia
373	662	SULEYMAN, AHMED HASSAN JAMIL	Jordan
374	664	UWAYDAH, RASHID AWAD RASHID AL	Saudi Arabia
375	669	AHMED ZAID SALIM ZUHAIR	Saudi Arabia
376	670	HEKMAT, ABDULLAH	Afghanistan
377	672	ASAM, ZAKIRJAN	Uzbekistan
378	675	KASIMBEKOV, KAMALLUDIN	Uzbekistan
379	676	KURD, MOHAMED ANWAR	Iran
380	678	MAHDI, FAWAZ NAMAN HAMOUD ABDULLAH	Yemen
381	679	TAHAR, MOHMMAD AHMAD ALI	Yemen
382	680	HASSAN, EMAD ABDALLA	Yemen
383	681	HASSEN, MOHAMMED MOHAMMED	Yemen
384	682	GHASSAN ABDALLAH GHAZI AL SHIRBI	Saudi Arabia
385	683	AHMED, FAYAD YAHYA	Yemen
386	684	TAHAMUTTAN, MOHAMMED ABDULLAH	West Bank
387	685	ABDELRAHMAN, ABDELRAZAK ALI	Libya
388	686	HAKIM, ABDEL GHALIB AHMAD	Yemen
389	687	AL NOOFAYAEE, ABDALAZIZ KAREEM SALIM	Saudi Arabia
390	688	AHMED, FAHMI ABDULLAH	Yemen
391	689	SALAM, MOHAMMED AHMED	Yemen
392	690	QADER, Ahmed Abdul	Yemen
393	691	SALEM AL ZARNUKI, MOHAMMED ALI	Yemen
394	692	ALEH, ALI BIN ALI	Yemen
395	693	AHMED, ALI ABDULLAH	Yemen
396	694	BARHOUMI, SUFYIAN	Algeria
397	695	ABU BAKR, OMAR KHALIFA MOHAMMED	Libya
398	696	AL QAHTANI, JABRAN SAID WAZAR	Saudi Arabia
399	701	KIYEMBA, JAMAL ABDULLAH	Uganda
400	702	MINGAZOV, RAVIL	Russia
401	703	LABED, AHMED BIN KADR	Algeria
402	704	ABDALLAH, MUHAMED HUSSEIN	Somalia
403	705	HAMLILY, MUSTAFA AHMED	Algeria
404	706	MOHAMMAD, MOHAMMAD LAMEEN SIDI	Mauritania
405	707	MUHAMMAED, NOOR UTHMAN	Sudan
406	708	ALI BAKUSH, ISMAEL ALI FARAJ	Libya
407	709	ABU AL QUSIN, ABDUL RAUF OMAR MOHAMMED	Libya
408	710	BANI AMIR, SALIM MAHMOUD ADEM MOHAMMED	Sudan
409	712	GADALLAH, HAMDAD ALI AMNO	Sudan
410	713	AL ZAHRANI, MUHAMMED MURDI ISSA	Saudi Arabia
411	716	SALEEM, ALLAH MUHAMMED	Egypt
412	717	BIN HADIDDI, ABDUL HADDI	Tunisia
413	718	BOUCETTA, FETHI	Algeria
414	719	AL HASSAN, MUSTAFA IBRAHIM MUSTAFA	Sudan
415	720	YAKOUB MOHAMMED	Sudan
416	721	OMAR, ABDULLAH BIN	Tunisia
417	722	DIYAB, JIHAD AHMED MUJSTAFI	Lebanon
418	727	DEGHAYES, OMAR AMER	Libya
419	728	NASSIR, JAMIL AHMED SAID	Yemen
420	730	FAUZEE, IBRAHIM	Maldives
421	743	MADNI, HAFEZ QARI MOHAMED SAAD IQBAL	Pakistan
422	744	NAJI, AZIZ ABDUL	Algeria
423	753	ZAHIR, ABDUL	Afghanistan

**List of detainees who went through complete CSRT process**  
**(All detainees who went through Round 1 of ARB process are also found on this list)**

	Short ISN	Name	Citizenship
424	757	AZIZ, AHMED OULD ABDEL	Mauritania
425	758	AL NAELY, ABBAS HABID RUMI	Iraq
426	760	SLAHI, MOHAMEDOU OULD	Mauritania
427	761	ZEIDAN, IBRAHIM MAHDY ACHMED	Libya
428	762	OBAIDULLAH	Afghanistan
429	766	KHADR, OMAR AHMED	Canada
430	768	AL DARBI, AHMED MUHAMMED HAZA	Saudi Arabia
431	782	GUL, AWAL	Afghanistan
432	783	ULLAH, SHAMS	Afghanistan
433	798	WAKIL, HAJI SAHIB ROHULLAH	Afghanistan
434	801	MELMA, SABAR LAL	Afghanistan
435	812	SHAH, QALANDAR	Afghanistan
436	817	BELMAR, RICHARD DEAN	U.K.
437	826	SALAAM, ABDUL	Afghanistan
438	831	KADIR, KHANDAN	Afghanistan
439	832	OMARI, MOHAMMAD NABI	Afghanistan
440	834	SHAHEEN NAQEEBYLLAH, SHAHWALI, ZAIR MOHAMMED	Afghanistan
441	835	MOHAMMED, RASOOL SHAHWALI ZAIR MOHAMMED	Afghanistan
442	836	SALEH, AYOUB MURSHID ALI	Yemen
443	837	AL MARWALAH, BASHIR NASIR ALI	Yemen
444	838	BALZUHAIR, SHAWKI AWAD	Yemen
445	839	AL MUDWANI, MUSAB OMAR ALI	Yemen
446	840	AL MAYTHALI, HA IL AZIZ AHMED	Yemen
447	841	NASHIR, SA ID SALIH SA ID	Yemen
448	845	MOHAMMED, AKHTAR	Afghanistan
449	848	ULLAH, AMIN	Afghanistan
450	849	NASIM, MOHAMMED 2	Afghanistan
451	850	HASHIM, MOHAMMED	Afghanistan
452	874	NASIR, ABDUL	Afghanistan
453	886	NASRULLAH	Afghanistan
454	888	ISMAT ULLAH	Afghanistan
455	890	SANGARYAR, RAHMATULLAH	Afghanistan
456	892	AL HAMI, RAFIQ BIN BASHIR BIN JALUD	Tunisia
457	893	AL BIHANI, TOLFIQ NASSAR AHMED	Saudi Arabia
458	894	RAHMAN, MOHAMMED ABDUL	Tunisia
459	899	KHAN, SHAWALI	Afghanistan
460	900	JAWAD, MOHAMED	Afghanistan
461	902	MOHAMMED, TAJ	Afghanistan
462	905	ELBANNA, ABDUL LATIF	Jordan
463	906	AL RAWI, BISHER AMIN KHALIL	Iraq
464	907	RAHMAN, HABIB	Afghanistan
465	909	KHAN, MOHABET	Afghanistan
466	914	KHAN, SHARDAR	Afghanistan
467	919	ULLAH, FAIZ	Afghanistan
468	923	RAZZAQ, ABDUL	Afghanistan
469	928	GUL,KHI ALI	Afghanistan
470	929	QUDUS, ABDUL	Afghanistan
471	933	KHAN, SWAR	Afghanistan
472	934	GHANI, ABDUL	Afghanistan
473	939	AMEUR, MAMMAR	Algeria
474	940	ADEL HUSSEIN, HASSAN	Sudan
475	941	DIN, JUMA	Afghanistan
476	942	RAZZAK, ABDUL	Afghanistan



**List of detainees who went through complete CSRT process**  
**(All detainees who went through Round 1 of ARB process are also found on this list)**

	<b>Short ISN</b>	<b>Name</b>	<b>Citizenship</b>
477	943	GHANI, ABDUL 2	Afghanistan
478	944	SHARIFULLAH	Afghanistan
479	945	JAN, SAID AMIR	Afghanistan
480	948	KHAN, ANWAR	Afghanistan
481	949	ZAHOR, ABDUL	Afghanistan
482	950	KHAN, ABDULLAH	Afghanistan
483	951	NASIR, ALLAH	Afghanistan
484	952	SHAHZADA, HAJI	Afghanistan
485	953	HAMMDIDULLAH	Afghanistan
486	954	GHAFOUR, ABDUL	Afghanistan
487	955	QUASAM, MOHAMMED	Afghanistan
488	956	AHMAD, ABDUL	Afghanistan
489	958	NASIM, MOHAMMED 3	Afghanistan
490	961	WAHAB, ABDUL	Afghanistan
491	963	BAGI, ABDUL	Afghanistan
492	964	RAHMATULLAH	Afghanistan
493	965	HAFIZULLAH,	Afghanistan
494	966	BARIDAD	Afghanistan
495	967	NASERULLAH	Afghanistan
496	968	BISMULLAH, HAJI	Afghanistan
497	971	YAR, KUSHKY	Afghanistan
498	972	MOHAMMED, ALIF	Afghanistan
499	974	BULLAR, MOHI	Afghanistan
500	975	KARIM, BOSTAN	Afghanistan
501	976	WAZIR, ABDULLAH	Afghanistan
502	977	NASRAT YAR, HIZTULLAH	Afghanistan
503	986	KANDAHARI, KAKO	Afghanistan
504	987	GHALIB, HAJI	Afghanistan
505	1001	KHAIL, HAFIZULLAH SHABAZ	Afghanistan
506	1002	MATIN, ABDUL	Afghanistan
507	1003	AHMED, SHABIR	Afghanistan
508	1004	YACOUB, MOHAMMED	Afghanistan
509	1007	SADIQI, ABDUL HALIM	Pakistan
510	1008	SOHAIL, MOHAMMED MUSTAFA	Afghanistan
511	1009	KHAN, HAJI NASRAT	Afghanistan
512	1010	SHAH, NAHIR	Afghanistan
513	1012	TUKHI, AMINULLAH BARYALAI	Afghanistan
514	1013	AHMED, FEDA	Afghanistan
515	1015	MOHAMMED, HUSSEIN SALEM	Yemen
516	1016	HUWARI, SOUFIAN ABAR	Algeria
517	1017	AL RAMMAH, OMAR MOHAMMED ALI	Yemen
518	1019	NASIBULLAH	Afghanistan
519	1021	COMMANDER CHAMAN	Afghanistan
520	1030	HAFIZ, ABDUL	Afghanistan
521	1032	GHAFAAR, ABDUL	Afghanistan
522	1035	JAN, SADA	Afghanistan
523	1036	MOHAMMAD, AKHTIAR	Afghanistan
524	1037	NAZARGUL CHAMAN	Afghanistan
525	1041	NOOR, HABIB	Afghanistan
526	1043	RAZAK, ABDUL	Afghanistan
527	1045	KAMIN, MOHAMMED	Afghanistan
528	1050	AZIMULLAH	Afghanistan
529	1051	SHARBAT	Afghanistan

**List of detainees who went through complete CSRT process  
(All detainees who went through Round 1 of ARB process are also found on this list)**

	<b>Short ISN</b>	<b>Name</b>	<b>Citizenship</b>
530	1052	RAHMAN, MAHBUB	Afghanistan
531	1056	MOHAMMED, SAID	Afghanistan
532	1074	AMAN, MOHAMMED	Afghanistan
533	1075	KAKAI	Afghanistan
534	1094	PARACHA, SAIFULLAH	Pakistan
535	1095	JAN, JUMMA	Tajikistan
536	1100	MUJAHID, ABDULLAH	Afghanistan
537	1103	ZAHIR, MOHOMMAD	Afghanistan
538	1104	RAHIM, MOHAMED	Afghanistan
539	1117	JALIL, MULLAH	Afghanistan
540	1119	HAJI HAMIDULLAH	Afghanistan
541	1154	SAID MOHAMMED ALI SHAH	Afghanistan
542	1157	HUKUMRA KHAN	Afghanistan
543	1165	YAKUBI, MOHAMMED MUSSA	Afghanistan
544	1452	BIN HAMLILI, ADIL HADI AL-JAZA'IRI	Algeria
545	1453	AL-KAZIMI, SANAD ALI YISLAM	Yemen
546	1456	BIN ATTASH, HASSAN MOHAMMED SALIH	Saudi Arabia
547	1457	SHARQAWI, AL HAJJ ABDO ALI	Yemen
548	1458	MOHAMMAD, BINYAM AHMED	Ethiopia
549	1460	RABBANI, ABDUL AL-RAHIM GHULAM	Pakistan
550	1461	RABBANI, MOHAMMED AHMAD GHULAM	Pakistan
551	1463	AL HILAL, ABDUL AL-SALAM	Yemen
552	10001	BELKACEM, BENSAYAH	Algeria
553	10002	LAHMAR, SABIR MAHFOUZ	Algeria
554	10003	NECHLE, MOHAMMED	Algeria
555	10004	AIT IDR, MUSTAFA	Algeria
556	10005	BOUMEDIENE, LAKHDAR	Algeria
557	10006	AL HAJJ, BOUDELLA	Algeria
558	10007	MUBANGA, MARTIN	U.K.

# Exhibit X

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

	<b>Name</b>	<b>ISN</b>	<b>Citizenship</b>	<b>Place of Birth</b>	<b>Date of Birth **</b>
1	((SHARIPOV)), RUKNIDDIN FAYZIDDINOVICH	76	Tajikistan	Lenenabad, Tajikistan	3/15/1973
2	((VAKHIDOV)) SOBIT (ABDUMUKIT) VALIKHONOVICH	90	Tajikistan	Itsfaratz, Tajikistan	11/13/1969
3	ABAHANOV, YAKUB	526	Kazakhstan	Semeya, Kazakhstan	UNKNOWN
4	ABAS, MOHAMMAD	542	Pakistan	Village 426, PK	UNKNOWN
5	ABASIN, SAID	671	Afghanistan	Khan o Khel, AF	1/1/1982
6	ABASSI, FEROZ ALI	24	United Kingdom	Entebbe, Uganda	10/29/1979
7	ABBAS, YUSEF	275	China	Aksu, CH	1/1/1980
8	ABD AL MUJAHID, MAHMOUD ABD AL AZIZ	31	Yemen	Ta'iz, YM	8/1/1977
9	ABD AL RAHMAN ABD, ALLAL AB ALJALLIL	156	Yemen	Aluday, YM	12/27/1975
10	ABD AL SATTAR, MUIEEN A DEEN JAMAL A DEEN ABD AL FUSAL	309	United Arab Emirates	Dubai, UAE	6/5/1975
11	ABD AL WAHAB, ABD AL MALIK	37	Yemen	Ibb, YM	1/1/1979
12	'ABD AL-RAZAQ 'ABDALLAH HAMID IBRAHIM AL-SHARIKH	67	Saudi Arabia	Shaqara, SA	1/18/1984
13	ABDALLAH, MUHAMED HUSSEIN	704	Somalia	Boor'o, SO	1/1/1983
14	ABDALLAH, SAYF BIN	46	Tunisia	Menzil, Tunisia	6/24/1973
15	ABDEL AZIZ, ABDULLAH MUHAMMED	206	Saudi Arabia	Al Medina Menawa, SA	9/8/1967
16	ABDELRAHMAN, ABDELRAZAK ALI	685	Libya	Al Jilat, LY	7/17/1970
17	ABDENOUR, SAMEUR	659	Algeria	Algiers, Algeria	3/28/1973
18	ABDERRAHMANE, SLIMANE HADJ	323	Denmark	Roskilde, Denmark	8/5/1973
19	ABDUL HAMID, HASSAN KHALIL MOHAMOUD	711	Jordan	Amman, JO	11/12/1961
20	ABDUL RAHMAN, ABDUL GHAPPAR	281	China	Kucha, CH	3/15/1973
21	ABDUL SAID, HASSAN	435	Iraq	Basra, Iraq	4/7/1976
22	ABDUL WAHAB AL ASMR, KHALID MAHOMOUD	589	Jordan	Irbid, JO	12/16/1963
23	ABDULAHAT, EMAM	295	China	Konashahar, CH	6/1/1977
24	ABDULAYEV, OMAR HAMZAYAVICH	257	Tajikistan	Dushanbe, Tajikistan	10/11/1978
25	ABDULGHUPUR, HAJIAKBAR	282	China	Ghulja, CH	1/1/1974
26	ABDULHEHIM, ADEL	293	China	Ghulja, CH	10/10/1974
27	ABDULQADIRAKHUN, ABDULLAH	285	China	Xinjian, CH	6/18/1979
28	ABDUREHIM, DAWUT	289	China	Ghulja, CH	11/1/1974
29	ABU AL QUSIN, ABDUL RAUF OMAR MOHAMMED	709	Libya	Tripoli, LY	1/1/1965
30	ABU BAKR, OMAR KHALIFA MOHAMMED	695	Libya	Al Bayda, LY	1/1/1972
31	ABU GHANIM, MOHAMMED RAJAB SADIQ	44	Yemen	Sanaa, YM	1/1/1975
32	ABU RAHMAN, ABDUL RABBANI ABD AL RAHIM	1460	Pakistan	UNKNOWN	1/1/1969
33	ABULWANCE, YAMATOLAH	116	Afghanistan	Kandahar, AF	1/1/1977
34	ACHAB KANOUNI, IMAD	164	France	Casablanca, MO	3/6/1977
35	ACHEZKAI, HAJI MOHAMMED KHAN	104	Afghanistan	Kabul, AF	1/1/1977
36	ADAM GUL, ATAULLAH	525	Afghanistan	Khushawa, AF	1/1/1982
37	ADAM, MOHAMMED SADIQ	454	Uzbekistan	Konduz, AF	1/1/1973
38	ADIL, AHMED	260	China	Kashkar, CH	1/1/1973
39	AHJAM, AHMED ADNAN	326	Syria	Halab, SY	5/1/1977
40	AHMAD, ABDUL	956	Afghanistan	Roy E Sang, AF	1/1/1954
41	AHMAD, ABDULLAH TABARAK	56	Morocco	Casablanca, MO	12/12/1955
42	AHMAD, AHMAD ABD AL RAHMAN	267	Spain	Cueta, SP	9/22/1974
43	AHMAD, BASHIR	1005	Pakistan	Chah Kote Wala, PK	1/1/1976

5/15/2006

\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

44	AHMAD, MAJID MAHMUD ABDO	41	Yemen	Burayqah, YM	6/15/1980
45	AHMAD, NOOR	580	Afghanistan	Moqur, AF	1/1/1973
46	AHMAD, OSAM ABDUL RAHAN	1018	Jordan	Al-Zarqa, JO	1/1/1976
47	AHMAD, SULTAN	842	Pakistan	Sargodha, PK	11/1/1984
48	AHMED ZAID SALIM ZUHAIR	669	Saudi Arabia	Jeddah, SA	1/1/1973
49	AHMED, ABDUL RAHMAN	441	Yemen	Sana'a, YM	1/1/1979
50	AHMED, ABDUL RAHMAN UTHMAN	95	Saudi Arabia	Riyadh, SA	12/31/1973
51	AHMED, ALI	303	Pakistan	Baluchistan, PK	1/1/1982
52	AHMED, ALI ABDULLAH	693	Yemen	Ib, YM	1/1/1977
53	AHMED, FAHMI ABDULLAH	688	Yemen	Debab, YM	1/1/1977
54	AHMED, FARUQ ALI	32	Yemen	Ta'iz, YM	12/1/1983
55	AHMED, FAYAD YAHYA	683	Yemen	Aden, YM	1/1/1977
56	AHMED, FEDA	1013	Afghanistan	Kandahar, AF	2/5/1977
57	AHMED, RHUHEL	110	United Kingdom	Birmingham, UK	3/11/1981
58	AHMED, SAGHIR	843	Pakistan	Sargodha, PK	1/1/1975
59	AHMED, SAR FARAZ	113	Pakistan	Lahore, PK	1/27/1966
60	AHMED, SHABIR	1003	Afghanistan	Badakhshan, AF	1/1/1971
61	AIT IDR, MUSTAFA	10004	Algeria	Sidimhamed, Algeria	7/9/1970
62	AKBAR, MOHAMMED	1011	Pakistan	Helmand, AF	1/1/1973
63	AKHBAR, MOHAMMAD	635	Afghanistan	Ghowr Band, AF	1/1/1956
64	AKHMYAROV, RUSTAM	573	Russia	Chelyabinsk, RS	10/24/1979
65	AKHTAR MOHAMMED, ROSTUM	632	Afghanistan	Musa Qala, AF	1/1/1980
66	AL AASMI, ASSEM MATRUQ MOHAMMAD	49	Palestine / Saudi Arabia	Khan Younis, Israel	2/18/1980
67	AL AJMI, ABDALLAH SALEH ALI	220	Kuwait	Almadi, KU	8/2/1978
68	AL ALAWI, MUAZ HAMZA AHMAD	28	Yemen	Bajor, YM	1/1/1977
69	AL ALI, MAHMUD SALEM HORAN MOHAMMED MUTLAK	537	Syria	Doha, Syria	5/5/1974
70	AL AMIR MAHMOUD, AMIR YAKOUB MOHAMMED	720	Sudan	Omdurman, SU	5/9/1971
71	AL AMRANI, AYMAN MOHAMMAD SILMAN	169	Jordan	Muthalthal Ardha, JO	1/1/1978
72	AL AMRI, ABD AL RAHMAN MOAZA ZAFER	196	Saudi Arabia	Arar, SA	7/26/1978
73	AL AMRI, ABDUL RAHMAN MA ATH THAFIR	199	Saudi Arabia	Ta'if, SA	4/17/1973
74	AL ANAZI, SULTAN SARI SAYEL	507	Saudi Arabia	Sakaka, SA	1/1/1974
75	AL ANSARI, FARIS MUSLIM	253	Afghanistan	Mukala, YM	1/1/1984
76	AL ANSI, MUHAMMAD AHMAD ABDALLAH	29	Yemen	Sanaa, YM	1/1/1975
77	AL ASADI, MOHAMMED AHMED ALI	198	Yemen	Sana'a, YM	7/1/1979
78	AL ATABI, BIJAD THIF ALLAH	122	Saudi Arabia	Saajer, SA	8/23/1971
79	AL AWDA, FOUZI KHALID ABDULLAH	232	Kuwait	Kuwait City, KU	5/6/1977
80	AL AWFU, MAZIN SALIH MUSAID	154	Saudi Arabia	Medina, SA	8/4/1979
81	AL AZMI, SA AD MADI SA AD	571	Kuwait	Doha, KU	5/29/1979
82	AL BADDAH, ABDUL AZIZ ABDUL RAHMAN ABDUL AZIZ	264	Saudi Arabia	Quia, SA	4/12/1982
83	AL BAKUSH, ISMAEL ALI FARAG	708	Libya	Al-Khumas, LY	7/1/1968
84	AL BALUSHI, SALAH ABDUL RASUL ALI ABDUL	245	Saudi Arabia	Jeddah, SA	1/1/1980
85	AL BALUSHI, SALAH ABDUL RASUL ALI ABDUL RAHMAN	227	Bahrain	Muharraq, BA	12/2/1981
86	AL BARAKAT, KHALID HASSAN HUSAYN	322	Saudi Arabia	Mecca, SA	1/1/1975
87	AL BAWARDI, KHALID SAUD ABD AL RAHMAN	68	Saudi Arabia	Riyadh, SA	1/1/1977

5/15/2006

\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

88	AL BEDANI, ABDUL KHALED AHMED SAHLEH	553	Saudi Arabia	Taif, SA	1/1/1983
89	AL BIDNA, SA AD IBRAHAM SA AD	337	Saudi Arabia	Riyadh, SA	5/11/1978
90	AL BIHANI, GHALEB NASSAR	128	Yemen	Tabokh, SA	1/1/1980
91	AL BIHANI, TOLFIQ NASSAR AHMED	893	Saudi Arabia	Tabuk, SA	6/1/1972
92	AL BUSAYSS, ADIL SAID AL HAJ OBEID	165	Yemen	Aden, YM	3/12/1973
93	AL DARBI, AHMED MUHAMMED HAZA	768	Saudi Arabia	Ta'if, SA	1/9/1975
94	AL DEHANI, MOHAMMAD FINAYTAL	229	Kuwait	Kuwait City, KU	11/4/1965
95	AL DHUBY, KHALID MOHAMMED SALIH	506	Yemen	Taif, SA	1/1/1981
96	AL DOSARI, JUMA MOHAMMED ABDUL LATIF	261	Bahrain	Khabar, SA	8/13/1973
97	AL DUBAIKEY, BESSAM MUHAMMED SALEH	340	Saudi Arabia	Qasim, SA	1/1/1978
98	AL EDAH, MOHAMMED AHMAD SAID	33	Yemen	Hay al-Turbawi Ta'iz, YM	1/1/1962
99	AL FARHA, SAID ALI	341	Saudi Arabia	Bahir, SA	11/5/1979
100	AL FAYFI, JABIR JUBRAN	188	Saudi Arabia	Ta'if, SA	1/1/1975
101	AL FOUZAN, FAHD MUHAMMED ABDULLAH	218	Saudi Arabia	Riyadh, SA	12/1/1983
102	AL FRIH, MAJED HAMAD	336	Saudi Arabia	Mecca, SA	1/1/1980
103	AL GHATANI, KHALID MALU SHIA	439	Saudi Arabia	Al Arib, SA	1/1/1983
104	AL GHAZZAWI, ABDEL HAMID IBN ABUSSALEM IBN MIFTAH	654	Libya	Tripoli, LY	11/8/1962
105	AL HAJJ, BOUDELLA	10006	Algeria	Laghouat, Algeria	4/18/1965
106	AL HAJJ, SAMI MOHY EL DIN MUHAMMED	345	Sudan	Khartoum, SU	2/15/1969
107	AL HAMI, RAFIQ BIN BASHIR BIN JALUD	892	Tunisia	Omaron, Tunisia	3/14/1969
108	AL HAMIRI, MOHAMMED ABDULLAH	249	Yemen	Hudaydah, YM	1/1/1982
109	AL HANASHI, MOHAMMAD AHMED ABDULLAH SALEH	78	Yemen	Al Habrub, YM	2/1/1978
110	AL HARAZI, FAHED	79	Saudi Arabia	Mecca, SA	11/18/1978
111	AL HARBI, GHANIM ABDUL RAHMAN	516	Saudi Arabia	Khobar, SA	3/13/1974
112	AL HARBI, MAJID ABDALLAH HUSAYN MUHAMMAD AL SAMLULI	158	Saudi Arabia	Jedda, SA	6/28/1980
113	AL HARBI, MOHAMED ATIQ AWAYD	333	Saudi Arabia	Riyadh, SA	7/13/1973
114	AL HARBI, MOHAMMED ABDULLAH	536	Saudi Arabia	Riyadh, SA	1/1/1979
115	AL HARBI, SALIM SULIMAN	57	Saudi Arabia	Mecca, SA	11/22/1968
116	AL HARBI, TARIQE SHALLAH HASSAN	265	Saudi Arabia	Medina, SA	1/1/1983
117	AL HARITH, JAMAL MALIK	490	United Kingdom	Manchester, UK	11/20/1966
118	AL HASSAN, MUSTAFA IBRAHIM MUSTAFA	719	Sudan	Al-Manakil, SU	1/1/1957
119	AL HATAYBI, ABDUL RAHMAN NASHI BADI	268	Saudi Arabia	Dehman, SA	1/1/9180
120	AL HENALI, MENHAL	726	Syria	Darna, SY	1/1/1963
121	AL HIKIMI, AHMED UMAR ABDULLAH	30	Yemen	Ta'iz, YM	1/1/1972
122	AL HILAL, ABDUL AL SALAM	1463	Yemen	UNKNOWN	1/30/1968
123	AL HIZANI, ABD	370	Saudi Arabia	Riyadh, SA	1/1/1976
124	AL HUBAYSHI, KHALID SULAYMANJAYDH	155	Saudi Arabia	Jeddah, SA	1/1/1975
125	AL HUSAYN, ZAID MUHAMAMD SA'AD	50	Jordan	Amman, JO	1/1/1974
126	AL JABRI, BANDAR AHMAD MUBARAK	182	Saudi Arabia	Mecca, SA	4/16/1979
127	AL JAYFI, ISSAM HAMID AL BIN ALI	183	Yemen	Sada, YM	9/1/1979
128	AL JOUDI, MAJEED ABDULLAH	25	Saudi Arabia	Mecca, SA	1/1/1967
129	AL JUAID, ABDUL RAHMAN OWAID MOHAMMAD	179	Saudi Arabia	Ta'if, SA	11/7/1980
130	AL JUHANI, MUHAMAD NAJI SUBHI	62	Saudi Arabia	Jeddah, SA	10/5/1967
131	AL JUTAYLI, FAHD SALIH SULAYMAN	177	Saudi Arabia	Burayada, SA	5/1/1983

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

132	AL KABI, JAMIL ALI	216	Saudi Arabia	Mecca, SA	1/1/1973
133	AL KANDARI, FAIZ MOHAMMED AHMED	552	Kuwait	Kuwait City, KU	6/3/1975
134	AL KARIM, ARKAN MOHAMMAD GHAFIL	653	Iraq	Dekar, Iraq	3/16/1976
135	AL KAZIMI, SANAD YISLAM	1453	Yemen	UNKNOWN	2/17/1970
136	AL KHALAQI, ASIM THAHIT ABDULLAH	152	Yemen	Riyadh, SA	1/1/1968
137	AL KHALDI, ABDUL AZIZ SAAD	112	Saudi Arabia	Riyadh, SA	9/1/1979
138	AL KHALIF, HANI SAIID MOHAMMAD	438	Saudi Arabia	Riyadh, SA	1/1/1972
139	AL KHALIFA, SHEIKH SALMAN EBRAHIM MOHAMED ALI	246	Bahrain	Rifah, BA	7/24/1979
140	AL KUNDUZI, UMAR ABDULLAH	222	Afghanistan	Konduz, AF	1/1/1979
141	AL KURASH, MUHAMMAD ABD AL RAHMAN	214	Saudi Arabia	Ta'if, SA	1/1/1977
142	AL MADOONEE, MUSAB OMAR ALI	839	Yemen	Al-Hudida, YM	1/1/1980
143	AL MAHAYAWI, SAUD DAKHIL ALLAH MUSLIH	53	Saudi Arabia	Jedda, SA	8/21/1976
144	AL MALKI, SAED KHATEM	157	Saudi Arabia	Mecca, SA	1/1/1969
145	AL MARRI, JARALLA SALEH MOHAMMED KAHLA	334	Qatar	Doha, QA	8/12/1973
146	AL MARWALAH, BASHIR NASIR ALI	837	Yemen	Al-Haymah, YM	12/1/1979
147	AL MATRAFI, ABDALLAH AIZA	5	Saudi Arabia	Mecca, SA	7/12/1964
148	AL MAYTHALI, HA IL AZIZ AHMED	840	Yemen	Zemar, YM	1/1/1977
149	AL MISHAD, SHARIF FATI ALI	190	Egypt	Shabin El Kom, EG	12/14/1976
150	AL MORGHI, KHALID ABDALLAH ABDEL RAHMAN	339	Saudi Arabia	Mecca, SA	4/29/1970
151	AL MOUSA, ABDUL HAKIM ABDUL RAHMAN ABDOAZIZ	565	Saudi Arabia	Riyadh, SA	5/31/1976
152	AL MUDHAFFARI, ABDEL QADIR HUSSEIN	40	Yemen	Al Bayda, YM	1/1/1976
153	AL MURBATI, ISSA ALI ABDULLAH	52	Bahrain	Manama, BA	1/1/1965
154	AL MURI, KHALID RASHD ALI	505	Saudi Arabia	Khafji, SA	9/9/1975
155	AL MUTAYRI, KHALID ABDULLAH MISHAL THAMER	213	Kuwait	Kuwait City, KU	6/18/1975
156	AL NAELY, ABBAS HABID RUMI	758	Iraq	Al Amin, Iraq	11/14/1968
157	AL NAHDI, SULAIMAN AWATH SULAIMAN BIN AGEEL	511	Yemen	Al Mukalla, YM	12/1/1974
158	AL NASIR, ABD AL AZIZ MUHAMMAD IBRAHIM	273	Saudi Arabia	Mecca, SA	4/18/1980
159	AL NASIR, FAIZAL SAHA	437	Saudi Arabia	Riyadh, SA	1/1/1980
160	AL NASIR, IBRAHIM MUHAMMED IBRAHIM	271	Saudi Arabia	Mecca, SA	1/1/1982
161	AL NOAIMI, ABDULLAH	159	Bahrain	Manama, BA	3/9/1982
162	AL NOOFAYAE, ABDALAZIZ KAREEM SALIM	687	Saudi Arabia	Al Shafa, SA	1/1/1976
163	AL NURR, ANWAR	226	Saudi Arabia	Toraif, SA	1/2/1977
164	AL NUSAYRI, ADIL UQLA HASSAN	308	Saudi Arabia	Sakakah, SA	1/1/1974
165	AL OMAIRAH, OTHMAN AHMED OTHMAN	184	Yemen	Shabwa, YM	1/1/1973
166	AL OSHAN, SALEH ABDALL	248	Saudi Arabia	Riyadh, SA	7/1/1979
167	AL OTAIBI, NAWAF FAHAD	501	Saudi Arabia	Riyadh, SA	11/7/1972
168	AL QADASI, KHALID ABD JAL JABBAR MUHAMMAD JUTHMAN	163	Yemen	Ta'iz, YM	1/1/1968
169	AL QADIR, MOHAMMED ABD AL	284	Algeria	Taot, Algeria	5/12/1976
170	AL QAHTANI, ABDULLAH HAMID	652	Saudi Arabia	Mecca, SA	1/1/1979
171	AL QAHTANI, JABIR HASAN MUHAMED	650	Saudi Arabia	Mecca, SA	2/10/1978
172	AL QAHTANI, JABRAN SAID WAZAR	696	Saudi Arabia	Tabuk, SA	1/1/1977
173	AL QAHTANI, MUHAMMAD MANI AHMED AL SHAL LAN	63	Saudi Arabia	Kharij, SA	1/1/1979
174	AL QARANI, MUHAMMED HAMID	269	Chad	Medina, SA	1/1/1986
175	AL QOSI, IBRAHIM AHMED MAHMOUD	54	Sudan	Khartoum, SU	7/3/1960

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176	AL QURASHI, SABRI MOHAMMED EBRAHIM	570	Yemen	Hudaydah, YM	1/1/1970
177	AL QURAYSHI, MAJID AYDHA MUHAMMAD	176	Saudi Arabia	Mecca, SA	5/29/1972
178	AL QURBI, MOHAMMED MUBAREK SALAH	342	Saudi Arabia	Khamees Musheet, SA	7/30/1978
179	AL QUWARI, MAHRAR RAFAT	519	West Bank	Gaza, Palestine	2/18/1965
180	AL RABIA, FOUAD MAHOUD HASAN	551	Kuwait	Kuwait City, KU	6/24/1959
181	AL RABIESH, YUSEF ABDULLAH SALEH	109	Saudi Arabia	Al Khasim, SA	1/1/1981
182	AL RADAI, RIYAD ATIQ ALI ABDO AL HAJ	256	Yemen	Taez, YM	UNKNOWN
183	AL RAHIZI, ALI AHMAD MUHAMMAD	45	Yemen	Ta'iz, YM	10/13/1979
184	AL RAMMAH, OMAR MOHAMMED ALI	1017	Yemen	Al Beitha, YM	1/1/1975
185	AL RASHID, MESH ARSAD	74	Saudi Arabia	Sana'a, SA	1/1/1980
186	AL RAWI, BISHER AMIN KHALIL	906	Iraq	Baghdad, Iraq	12/23/1969
187	AL RIMI, ALI YAHYA MAHDI	167	Yemen	Sana'a, YM	1/1/1983
188	AL RIMI, MUHAMMAD ABDALLAH MANSUR	194	Libya	Al Rimi, YM	12/1/1968
189	AL RUSHAYDAN, ABDALLAH IBRAHIM	343	Saudi Arabia	Khobar, SA	1/4/1967
190	AL SABRI, MASHUR ABDALLAH MUQBIL AHMED	324	Yemen	Mecca, SA	1/1/1978
191	AL SALEH, ABDUL	91	Yemen	Muqela, YM	1/1/1979
192	AL SAMIRI, BADER AL BAKRI	274	Saudi Arabia	Mecca, SA	1/1/1977
193	AL SANI, FAHMI SALEM SAID	554	Yemen	Mikala, YM	5/17/1977
194	AL SAWAH, TARIQ MAHMOUD AHMED	535	Egypt	Alexandria, EG	11/2/1957
195	AL SEHLI, IBRAHIM DAIF ALLAH NEMAN	94	Saudi Arabia	Medina, SA	10/26/1965
196	AL SHAKOURI, RADWAN	499	Morocco	Asafi, MO	2/12/1972
197	AL SHAMAREE, ZABAN THAAHER ZABAN	647	Saudi Arabia	Arar, SA	1/1/1979
198	AL SHAMARI, ABD AL AZIZ SAYIR	217	Kuwait	Al Fahahil, KU	9/23/1973
199	AL SHAMYRI, MUSTAFA ABDUL QAWI ABDUL AZIZ	434	Yemen	Sana'a, YM	7/7/1978
200	AL SHARABI, ZUHAIL ABDO ANAM SAID	569	Yemen	Taiz, YM	1/1/1977
201	AL SHARAKH, ABDULHADI ABDALLAH IBRAHIM	231	Saudi Arabia	Riyadh, SA	7/2/1982
202	AL SHARBI, GHASSAN ABDULLAH	682	Saudi Arabia	Jeddah, SA	12/28/1974
203	AL SHARIF, FAHD UMR ABD AL MAJID	215	Saudi Arabia	Mecca, SA	3/18/1976
204	AL SHIHRI, YUSSEF MOHAMMED MUBARAK	114	Saudi Arabia	Riyadh, SA	9/8/1985
205	AL SHIMRI, MAJI AFAS RADHI	181	Saudi Arabia	Kharj, SA	5/1/1974
206	AL SHULAN, HANI ABDUL MUSLIH	225	Yemen	Ibb, YM	1/1/1979
207	AL SHUMRANI, MOHAMMAD AL RAHMAN	195	Saudi Arabia	Riyadh, SA	2/1/1975
208	AL SHURFA, OHMED AHMED MAHAMOUD	331	Saudi Arabia	Jeddah, SA	12/26/1975
209	AL SUADI, ABDUL AZIZ ABDULLAH ALI	578	Yemen	Milhan, YM	6/16/1974
210	AL SULAMI, YAHYA SAMIL AL SUWAYMIL	66	Saudi Arabia	Jeddah, SA	2/3/1979
211	AL TABI, MANA SHAMAN ALLABARDI	588	Saudi Arabia	Al-Qarara, SA	1/1/1976
212	AL TAIBI, RAMI BIN SAID	318	Saudi Arabia	Ta'if, SA	12/24/1980
213	AL TAMIMI, HAYDAR JABBAR HAFEZ	648	Iraq	Kute, Iraq	8/24/1973
214	AL TAYABI, ABDULLAH	332	Saudi Arabia	Halban, SA	1/1/1980
215	AL TAYS, ALI HUSAYN ABDULLAH	162	Yemen	Sada, YM	6/1/1977
216	AL USAYMI, NAYIF FAHD MUTLIQ	436	Saudi Arabia	Riyadh, SA	1/1/1979
217	AL UTAYBI, ABDULLAH ALI	243	Saudi Arabia	Mecca, SA	1/1/1972
218	AL UTAYBI, MUHAMMAD SURUR DAKHILALLAH	96	Saudi Arabia	Qaisuma, SA	9/26/1983
219	AL UWAYDHA, SULTAN AHMED DIRDEER MUSA	59	Saudi Arabia	Medina, SA	12/4/1975

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220	AL WADI, ADIL KAMIL ABDULLAH	60	Bahrain	Muharak, BA	10/1/1964
221	AL WADY, HAMOUD ABDULLAH HAMOUD HASSAN	574	Yemen	Sana'a, YM	9/5/1965
222	AL WAFTI, ABDULLAH ABD AL MU'IN	262	Saudi Arabia	Mecca, SA	9/14/1966
223	AL WAHAB, MUSA ABED	58	Saudi Arabia	Medina, SA	7/20/1977
224	AL WARAFI, UKHTAR YAHYA NAJEE	117	Yemen	Ta'iz, YM	1/1/1974
225	AL YAFI, AL KHADR ABDALLAH MUHAMMED	34	Yemen	Lawdar, YM	1/1/1970
226	AL YAZIDI, RIDAH BIN SALEH	38	Tunisia	Unfidel, Tunisia	1/24/1965
227	AL ZABE, SLAH MUHAMED SALIH	572	Saudi Arabia	Mecca, SA	1/1/1972
228	AL ZAHARNI, KHALID MOHAMMED	234	Saudi Arabia	Al Kharj, SA	1/1/1972
229	AL ZAHRANI, MUHAMMED MURDI ISSA	713	Saudi Arabia	Ta'if, SA	1/1/1969
230	AL ZAHRANI, SAID IBRAHIM RAMZI	204	Saudi Arabia	Ta'if, SA	1/1/1981
231	AL ZAHRANI, YASSER TALAL	93	Saudi Arabia	Yenbo, SA	9/22/1984
232	AL ZAYLA, MUHAMMED YAHIA MOSIN	55	Saudi Arabia	Medina, SA	7/25/1977
233	AL ZUBA, SALEH MOHAMED	503	Yemen	Sana'a, YM	1/1/1955
234	ALAHDAL, ABU BAKR IBN ALI MUHAMMAD	171	Yemen	Al Hudaydah, YM	1/1/1979
235	AL-DEEN, JAMAL MUHAMMAD	16	Pakistan / Bangladesh	Feni, Bangladesh	1/1/1967
236	ALEH, ALI BIN ALI	692	Yemen	Adem, YM	4/15/1983
237	ALGAZZAR, ADEL FATTOUGH ALI	369	Egypt	Cairo, EG	10/22/1965
238	ALHABIRI, MISHAL AWAD SAYAF	207	Saudi Arabia	Minawara, SA	1/1/1980
239	ALHAMIRI, ABDULAH	48	United Arab Emirates	Alan, UAE	10/25/1979
240	ALI BIN ATTASH, HASSAN MOHAMMED	1456	Saudi Arabia	Jeddah, SA	1/1/1985
241	ALI, ADNAN MOHAMMED	105	Saudi Arabia	Ta'if, SA	1/8/1978
242	ALI, SAID SAIM	140	Pakistan	Karachi, PK	1/1/1977
243	ALI, WALID MOHAMMAD HAJ MOHAMMAD	81	Sudan	Donkhalah, SU	6/6/1974
244	ALIKHAN, MAHNGUR	629	Afghanistan	Gomal, PK	1/1/1958
245	ALIKHEL, SHA MOHAMMED	19	Pakistan	Swaat, PK	1/1/1981
246	ALIKOZI, AMANULLAH	538	Afghanistan	Deh Raud, AF	1/1/1975
247	ALIZA, ABDUL RAUF	108	Afghanistan	Azan Village, AF	2/10/1981
248	ALIZAI, NEMATULLAH SAHIB-KHAN	628	Afghanistan	Azan, AF	1/1/1958
249	ALLAH, NOOR	539	Afghanistan	Uruzgan, AF	1/1/1971
250	ALLAITHY, SAMI ABDUL AZIZ SALIM	287	Egypt	Shubrakass, EG	10/28/1956
251	AL-MARWA'I, Toufiq Saber Muhammad	129	Yemen	Al Dumaina, YM	1/1/1976
252	AL-SHABANI, FAHD ABDALLAH IBRAHIM	80	Saudi	Riyadh, SA	11/6/1982
253	AL-SHEDOKY, MISH'AL MUHAMMAD RASHID	71	Saudi	Riyadh, SA	1/1/1982
254	AL-WALEELI, FAEL RODA	663	Egypt	Mansura, EG	1/28/1966
255	AL-ZAMEL, 'ADEL ZAMEL 'ABD AL-MAHSEN	568	Kuwait	Kuwait City, KU	8/23/1963
256	AMAN	1074	Afghanistan	Malik Village Kardez, AF	1/1/1957
257	AMAR, ABU	240	Saudi Arabia	Jeddah, SA	9/10/1977
258	AMEUR, MAMMAR	939	Algeria	L'aghout, Algeria	12/1/1958
259	AMEZIANE, DJAMEL SAIID ALI	310	Algeria	Al Jesera, Algeria	4/14/1967
260	AMI, SHAKIR ABDURAHIM MOHAMED	239	Saudi Arabia	Medina, SA	12/12/1968
261	AMIN, AMINULLA	504	Pakistan	Chaman, PK	UNKNOWN
262	AMIN, OMAR RAJAB	65	Kuwait	Kuwait City, KU	6/14/1967
263	AMTIRI, NASSER NAJIRI	205	Kuwait	Mahwa, KU	3/17/1977

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264	ANDARR, ABDUL AL-HAMEED MOHAMMED	668	Afghanistan	Zormat, AF	1/1/1967
265	ANSAR, MOHAMMED	304	Pakistan	Jalan Makhdoom, PK	1/1/1981
266	ANVAR, HASSAN	250	China	Urumchi, CH	8/26/1974
267	ANWAR, MOHAMMED	524	Pakistan	Pakistan	7/5/1980
268	ARBAYSH, IBRAHIMJ SULAYMAN MUHAMMAD	192	Saudi Arabia	Al Brida, SA	7/7/1979
269	ASAM, ZAKIRJAN	672	Russian	Saratov, RS	5/18/1974
270	ASEKZAI, AZIZULLAH	646	Afghanistan	Karez, AF	1/1/1980
271	ASHRAF, MOHAMMED	100	Pakistan	Kalaswala, PK	1/1/1980
272	ASLAAM, NOOR	822	Afghanistan	Warna, PK	1/1/1982
273	AWAD, JALAL SALAM AWAD	564	Yemen	Al Muquala, YM	1/1/1973
274	AWAD, WAQAS MOHAMMED ALI	88	Yemen	Aden, YM	1/1/1982
275	AWZAR, MOHAMED IBRAHIM	133	Morocco	Koreebja, MO	9/28/1979
276	AYUB, HAJI MOHAMMED	279	China	Toqqzqtash, CH	4/15/1984
277	AYUB, HASEEB	141	Pakistan	Budho, PK	1/8/1974
278	AYUBI, SALAHODIN	138	Pakistan	Lahore, PK	3/20/1974
279	AZANI, SAAD MASIR MUKBL AL	575	Yemen	Al Reef, YM	1/1/1979
280	AZIMULLAH	1050	Afghanistan	North Waziristan, PK	1/1/1982
281	AZIZ, AHMED ABDEL	757	Mauritania	Atar, MR	2/24/1970
282	BAADA, TAREK ALI ABDULLAH AHMED	178	Yemen	Shebwa, YM	1/1/1978
283	BADR, BADRUZZAN	559	Afghanistan	Jalalabad, AF	11/10/1970
284	BAGI, ABDUL	963	Afghanistan	Kandahar, AF	1/1/1972
285	BALKHAIR, RASHED AWAD KHALAF	186	Saudi Arabia	Jurashi, SA	1/1/1978
286	BALZUHAIR, SHAWKI AWAD	838	Yemen	Hadramout, YM	7/24/1981
287	BAMARI, BAKHTIAR	623	Iran	Damon, IR	1/1/1981
288	BANI AMIR, SALIM MAHMOUD ADEM MOHAMMED	710	Sudan	Kasala, SU	1/1/1958
289	BAQI, ABDUL	656	Afghanistan	Tark Itmak, AF	1/1/1942
290	BARAK, FNU	856	Afghanistan	Surgay, AF	1/1/1972
291	BARAKZAI, JON MOHAMMAD	107	Afghanistan	Sarwan Qala, AF	1/1/1967
292	BARAYAN, MAJID AL	51	Saudi Arabia	Jedda, SA	9/27/1972
293	BARHOUMI, SUFYIAN	694	Algeria	Algiers, Algeria	7/28/1973
294	BARIDAD	966	Afghanistan	Helmand, AF	1/1/1953
295	BARRE, MOHAMMED SULAYMON	567	Somalia	Burco, SO	12/27/1964
296	BASARDAH, YASIM MUHAMMED	252	Yemen	Shabua, YM	1/1/1976
297	BASIT, AKHDAR QASEM	276	China	Ghulja, CH	11/14/1973
298	BATARFI, AYMAN SAEED ABDULLAH	627	Yemen	Cairo, EG	8/14/1970
299	BATAYEV, ILKHAM TURDBYAVICH	84	Uzbekistan	Abaye, Kazakhstan	11/7/1973
300	BEGG, MOAZZAN	558	United Kingdom	Birmingham, UK	7/5/1968
301	BEL BACHA, AHMED BIN SALEH	290	Algeria	Algiers, Algeria	11/13/1969
302	BELKACEM, BENSAYAH	10001	Algeria	Wargala, Algeria	9/10/1962
303	BELMAR, RICHARD DEAN	817	United Kingdom	London, UK	10/31/1979
304	BEN MOUJAN, MUHAMMAD	160	Morocco	Dar Bida, MO	2/14/1981
305	BENCHELLALI, MOURAD	161	France	Venissieu, FR	7/7/1981
306	BIN ATEF, MAHMMOUD OMAR MOHAMMED	202	Yemen	Mecca, SA	1/1/1980
307	BIN HADIDDI, ABDUL HADDI	717	Tunisia	Bir'Alash, Tunisia	3/18/1969

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308	BIN HAMIDA, ADIL MABROUK	148	Tunisia	Tunis, Tunisia	9/15/1970
309	BIN HAMLILI, ADIL HADI AL JAZAIRI	1452	Algeria	Oram, Algeria	6/26/1975
310	BIN QUMU, ABU SUFIAN IBRAHIM AHMED HAMUDA	557	Libya	Darna, LY	6/26/1959
311	BIN SALEM, MUHAMMAD SAID	251	Yemen	Hadramaut, YM	4/25/1975
312	BINYAM, MOHAMMED AHMED	1458	Ethiopia	Addis Ababa, ET	7/24/1978
313	BISMAULLAH, FNU 2	960	Afghanistan	Baghran, AF	UNKNOWN
314	BISMILLAH	658	Afghanistan	Oruzgan, AF	1/1/1952
315	BISMILLAH 2, FNU	639	Afghanistan	Pirwan Siagird, AF	1/1/1968
316	BISMULLAH, HAJI	968	Afghanistan	Musa Qala, AF	1/1/1979
317	BOUCETTA, FETHI	718	Algeria	Mostaganem, EG	9/15/1963
318	BOUJAADIA, SAID	150	Morocco	Casablanca, MO	5/5/1968
319	BOUMEDIENE, LAKHDAR	10005	Algeria	Ain Soltgane Saeda, Algeria	4/27/1966
320	BUKHARY, ABDUL HAKIM	493	Saudi Arabia	Mecca, SA	1/1/1955
321	BULLAR, MOHI	974	Afghanistan	Urezgon, AF	1/1/1981
322	BWAZIR, MOHAMMED ALI ABDULLAH	440	Yemen	Howra, YM	1/1/1980
323	CELIK GOGUS, YUKSEL	291	Turkey	Karasu Village, Sakara City, Turke	10/10/1967
324	CHAMAN, GUL	1021	Afghanistan	Osman, Hazro, Logar, AF	1/1/1963
325	DAD, KHUDAI	655	Afghanistan	Tarak, AF	1/1/1957
326	DAOUD, MOHAMMAN	527	Afghanistan	Emam Saheb, AF	1/1/1979
327	DEGHAYES, OMAR AMER	727	Libya	Tripoli, LY	11/28/1969
328	DERGOUL, TAREK	534	Morocco	Mile End, UK	12/11/1977
329	DIN, JUMA	941	Afghanistan	Alinghan, AF	1/1/1973
330	DIYAB, JIHAD AHMED MUJSTAFI	722	Lebanon	Jedeta, LE	7/10/1971
331	DOKHAN, MOAMMAR BADAWI	317	Syria	Damascus, SY	7/27/1972
332	EDMONDADA, ABDULLAH	360	Afghanistan	Kandahar, AF	1/1/1960
333	EHSANULLAH	350	Afghanistan	Farah, AF	1/1/1973
334	EHSSANULLAH	523	Afghanistan	Sarwan Qala, AF	1/1/1977
335	ELBANNA, ABDUL LATIF	905	Jordan	Jericho, Turkey	5/28/1952
336	ESMATULLA, FNU	888	Afghanistan	Dekundie, AF	1/1/1977
337	ESMHATULLA, QARI	591	Afghanistan	Ramsha, PK	1/1/1984
338	FAR HUDDINE, BAR	896	Afghanistan	Tora Oba, AF	1/1/1977
339	FARAJ, ABD AL HADIO OMAR MAHMOUD	329	Syria	Hama, SY	1/1/1981
340	FARHAD, DIN MOHAMMED	699	Afghanistan	Konduz, AF	1/1/1976
341	FARHI, SAID	311	Algeria	Churchelle, Algeria	3/29/1961
342	FAROUQ, MOHAMMED NAYIM	633	Afghanistan	Zatoon Kahil, AF	1/1/1960
343	FAUZEE, IBRAHIM	730	Maldives	Thulhaadhoo, MV	11/11/1978
344	FAZALDAD, FNU	142	Pakistan	Atian, PK	1/1/1982
345	FAZL, MULLAH MOHAMMAD	7	Afghanistan	Charchno, AF	1/1/1967
346	FAZROLLAH, MEHRABANB	77	Tajikistan	Pyandj, Tajikistan	10/18/1962
347	FEGHOU, ABDULLI	292	Algeria	Tiaret, Algeria	10/22/1960
348	FIYATULLAH, KAY	247	Pakistan	Narmasperlay, PK	1/1/1983
349	GADALLAH, HAMMAD ALI AMNO	712	Sudan	Duba, SU	11/13/1969
350	GHAFAAR, ABDUL	1032	Afghanistan	Kandahar, AF	1/1/1958
351	GHAFAAR HOMAROVICH, SHIRINOV	732	Tajikistan	Dushanbe, Tajikistan	1/9/1974

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

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352	GHAFOOR, SHAI JAHN	363	Afghanistan	Karabagh, AF	1/1/1969
353	GHAFOUR, ABDUL	954	Afghanistan	Pattia Province, AF	1/1/1962
354	GHALIB, HAJI	987	Afghanistan	Nangarhar, AF	1/1/1963
355	GHANI, ABDUL	934	Afghanistan	Afghanistan	1/1/1972
356	GHANI, ABDUL 2	943	Afghanistan	Kandahar, AF	1/1/1983
357	GHANI, NABU ABDUL	354	Afghanistan	Shishawa, AF	1/1/1952
358	GHAZI, FAHED ABDULLAH AHMAD	26	Yemen	Bayt Ghazi, YM	1/1/1982
359	GHEREBY, SALEM ABDUL SALEM	189	Libya	Zletan, SA	3/1/1961
360	GHETAN, ABDUL SALAM	132	Saudi Arabia	Riyadh, SA	12/14/1984
361	GHEZALI, MEHDI MOHAMMAD	166	Sweden	Stockholm, SW	7/5/1979
362	GHOFOOR, ABDULLAH	351	Afghanistan	Keshai, AF	1/1/1971
363	GHUL, NATHI	636	Afghanistan	Afghanistan	1/1/1980
364	GHUL, WAZIR ZALIM	677	Afghanistan	Khowst, AF	1/1/1977
365	GHULADKHAN	316	Afghanistan	Jalalabad, AF	1/1/1980
366	GUL GHAMAN, NASSER	1037	Afghanistan	Manikhel, AF	1/1/1980
367	GUL, AWAL	782	Afghanistan	Sawati Ghundi	7/1/1962
368	GUL, DAWD	530	Afghanistan	Zedana, AF	1/1/1980
369	GUL, KHI ALI	928	Afghanistan	Khowst, AF	1/1/1963
370	GUL, MOHAMMAD	457	Afghanistan	Zamikhel, AF	1/1/1962
371	GUMAROV, RAVIL SHAFEYAVICH	203	Russia	Gushva, RS	11/22/1962
372	HABIB, MAMDOUH IBRAHIM AHMED	661	Australia	Alexandria, EG	6/3/1955
373	HADI, SALEM AHMED	131	Yemen	Hadramaut, YM	1/15/1976
374	HADJARAB, NABIL	238	Algeria	Aentaya, Algeria	7/21/1979
375	HAFEZ, KHALIL RAHMAN	301	Pakistan	Punjab, PK	1/20/1984
376	HAFIZ, ABDUL	1030	Afghanistan	Afghanistan	1/1/1961
377	HAFIZULLAH, FNU	965	Afghanistan	Afghanistan	1/1/1974
378	HAIDEL, MOHAMMED AHMED SAID	498	Yemen	Ta'iz, YM	1/1/1978
379	HAKIM, ABDEL GHALIB AHMAD	686	Yemen	Ta'iz, YM	1/1/1979
380	HAMDAN, SALIM AHMED SALIM	149	Yemen	Hadramout, YM	1/1/1970
381	HAMDOUN, ZAHAR OMAR HAMIS BIN	576	Yemen	Ash Shihri, YM	11/13/1979
382	HAMDULLAH, FNU	456	Afghanistan	Kushki Nakod, AF	1/1/1974
383	HAMIDULLAH	1119	Afghanistan	Kabul, AF	1/1/1963
384	HAMIDULLAH, ALI SHER	455	Uzbekistan	Tashkent, UZ	11/19/1974
385	HAMIDULLAH, FNU	642	Afghanistan	Konduz, AF	1/1/1980
386	HAMIDUVA, SHAKHRUKH	22	Uzbekistan	Kokan, UZ	12/13/1983
387	HAMLILY, MUSTAFA AHMED	705	Algeria	Bashare, Algeria	2/20/1959
388	HAMMIDULLAH, FNU	953	Afghanistan	Sarpolad, AF	1/1/1973
389	HANAN, ABDUL	531	Afghanistan	Ghazni, AF	1/1/1958
390	HASAN, MIRWAIS	998	Afghanistan	Afghanistan	1/1/1980
391	HASHEM, MUBARAK HUSSAIN BIN ABUL	151	Bangladesh	Baria, BG	1/1/1978
392	HASHIM, MOHAMMED	850	Afghanistan	Qandahar, AF	1/1/1976
393	HASSAN, ADEL	940	Sudan	Port Sudan, SU	1/1/1958
394	HASSAN, EMAD ABDALLA	680	Yemen	Aden, YM	6/26/1979
395	HASSAN, MUHAMMAD HUSSEIN ALI	123	Morocco	Selwan, MO	12/16/1966

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396	HASSEN, MOHAMMED MOHAMMED	681	Yemen	Ta'iz, YM	4/20/1983
397	HATIM, SAID MUHAMMED SALIH	255	Yemen	Ibb, YM	1/1/1976
398	HAWSAWI, AMRAN BAQUR MOHAMMED	368	Saudi Arabia	Ta'if, SA	1/1/1975
399	HEKMAT, ABDULLAH	670	Afghanistan	Akhcha, AF	1/1/1972
400	HEZBULLAH, FNU	666	Afghanistan	Miran Shah, PK	1/1/1981
401	HICKS, DAVID	2	Australia	Adelaide, AU	10/8/1971
402	HINTIF, FADIL HUSAYN SALIH	259	Yemen	Al Youf, YM	1/1/1969
403	HKIML, ADEL BIN AHMED BIN IBRAHIM	168	Tunisia	Bin Aroes, Tunisia	3/27/1965
404	HOMARO, MOYUBALLAH	729	Tajikistan	Alisurkhan, Tajikistan	10/6/1980
405	HOUARI, ABDUL RAHAM	70	Algeria	Algiers, Algeria	1/18/1980
406	HUDIN, SALAH	21	Pakistan / Afghanistan	Jalalabad, AF	1/8/1982
407	HUKUMRA	1157	Afghanistan	Chenna Village, AF	1/1/1974
408	HUMUD DAKHIL HUMUD SA'ID AL-((JAD'AN	230	Saudi Arabia	Jeddah, SA	5/22/1973
409	HUSSEIN, ABDUL QADIR YOUSEF	715	West Bank	Jenin, WE	3/27/1953
410	HUSSEINI, ABDALLAH	703	Algeria	Algiers, Algeria	4/3/1958
411	HUWARI, SOUFIAN ABAR	1016	Algeria	Ouran, Algeria	4/29/1970
412	IBRAHIM, NAYIF ABDALLAH IBRAHIM	258	Saudi Arabia	Riyadh, SA	1/1/1982
413	IDRIS, IBRAHIM OTHMAN IBRAHIM	36	Sudan / Yemen	Hathramuut, YM	1/1/1961
414	IJAZ, MOHAMMED	302	Pakistan	Blonoval, PK	UNKNOWN
415	IKASSRIN, LAACIN	72	Morocco	Targist, MO	10/2/1972
416	IL BHAWITH, ZAID BINSALLAH MOHAMMED	272	Saudi Arabia	Qasim, SA	1/1/1982
417	ILYAS, MOHAMMAD	144	Pakistan	Taman, PK	1/8/1942
418	INSANULLAH, FNU	637	Afghanistan	Afghanistan	1/1/1980
419	IQBAL, ASIF	87	United Kingdom	West Bromwich, UK	4/24/1981
420	IQBAL, FAIK	210	Pakistan	Karachi, PK	10/27/1982
421	IQBAL, ZAFAR	14	Pakistan	Sambal, PK	3/1/1983
422	IRFAN, MOHAMMED	1006	Pakistan	Punjab, PK	1/1/1979
423	IRFAN, MOHAMMED	101	Pakistan	Bahalwapur, PK	12/12/1982
424	IRGASHIVE, ABDUL KARIM	641	Tajikistan	Dushanbe, Tajikistan	5/7/1965
425	ISHAQ, MOHAMMED	20	Pakistan	Panjoor, PK	1/1/1983
426	ISHMURAT, TIMUR RAVILICH	674	Russia	Azenakai, RS	6/5/1975
427	ISMAIL, ALI HAMZA AHMED SULAYMAN	39	Yemen	Hudaydah, YM	1/1/1969
428	ISMAIL, MOHAMMED	930	Afghanistan	Dourbeni Village, AF	1/1/1984
429	ISMAIL, SADEQ MUHAMMAD SA ID	69	Yemen	Jabal Haimain, YM	1/1/1982
430	ISMAIL, YASIN QASEM MUHAMMAD	522	Yemen	Ibb, YM	1/1/1979
431	JAHDARI, ZIAD SAID FARG	286	Saudi Arabia	Jeddah, SA	1/1/1979
432	JAID AL KHATHAMI, SALEH ALI	191	Saudi Arabia	Dharan, SA	1/1/1981
433	JALIL, HAJI	1117	Afghanistan	Bayanzai, Gereshk District, AF	1/1/1970
434	JAMALUDINOVICH, ABU BAKIR	452	Uzbekistan	Chartakh, UZ	2/1/1974
435	JAN, JUMMA	1095	Tajikistan	Kurgantapa, Tajikistan	1/1/1978
436	JAN, SAID AMIR	945	Afghanistan	Koozbia, AF	1/1/1980
437	JAN, SAIDA	1035	Afghanistan	Konar, AF	UNKNOWN
438	JANKO, ABD AL RAHIM ABDUL RASSAK	489	Syria	Al Qamashil, SY	6/24/1978
439	JARABH, SAEED AHMED MOHAMMED ABDULLAH SAREM	235	Yemen	Jeddah, SA	1/1/1976

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440	JAWAD, MOHAMED	900	Afghanistan	Miran Shah, PK	1/1/1985
441	KABEL, MOHAMED	645	Afghanistan	Parvan Province, AF	1/1/1963
442	KABIR, USAMA HASSAN AHMED ABU	651	Jordan	Al Rusayfa, JO	5/16/1970
443	KADIR, KHANDAN	831	Afghanistan	Safra-andarikhail, AF	1/1/1969
444	KAFKAS, ABDULLAH D.	82	Russia	Prohladsk, RU	1/23/1984
445	KAHM, ABDUL RAHMAN ABDULLAH MOHAMED JUMA	118	Afghanistan	Fara, AF	1/1/1969
446	KAKAR, MOHAMMED RAZ-MOHAMMED	364	Afghanistan	Khod, AF	1/1/1977
447	KAMEL, ABDULLAH KAMEL ABUDALLAH	228	Kuwait	Hawalli, KU	9/17/1973
448	KAMIN, MOHAMMED	1045	Afghanistan	UNKNOWN	1/1/1978
449	KANDAHARI, KAKO	986	Afghanistan	Ghulayie, AF	1/1/1970
450	KARIM, ABDUL	520	Afghanistan	Sangin, AF	1/1/1982
451	KARIM, BOSTAN	975	Afghanistan	Khowst, AF	1/1/1970
452	KARNAZ, MURAT	61	Turkey	Bremen, Germany	3/19/1982
453	KASIMBEKOV, KAMALLUDIN	675	Uzbekistan	Tashkent, UZ	11/9/1977
454	KERIMBAKIEV, ABDULRAHIM	521	Kazakhstan	Semei, Kazakhstan	1/4/1983
455	KHADR, ABDUL	990	Canada	UNKNOWN	1/1/1981
456	KHADR, OMAR AHMED	766	Canada	Toronto, CA	9/19/1986
457	KHAIL, HAFIZULLAH SHABAZ	1001	Afghanistan	Paktia, AF	1/1/1946
458	KHAIRKHOWA, KHIRULLAH SAID WALI	579	Afghanistan	Kandahar, AF	1/1/1967
459	KHALID, RIDOUANE	173	France	Villeneuve, FR	8/16/1967
460	KHALIK, SAIDULLAH	280	China	Ghulja, CH	7/27/1977
461	KHAMSAN, KARAM KHAMIS SAYD	586	Yemen	Al Mahra, YM	1/1/1969
462	KHAN, ABDULLAH	950	Afghanistan	Ghawchak, AF	1/1/1956
463	KHAN, ABDULLAH MOHAMMAD	556	Uzbekistan	Faryab, AF	1/1/1972
464	KHAN, ALIF	673	Afghanistan	Khowst, AF	1/1/1968
465	KHAN, ANWAR	948	Afghanistan	Konar, AF	1/1/1967
466	KHAN, BACHA	529	Pakistan	Bajawor, PK	1/1/1972
467	KHAN, EJAZ AHMAD	135	Pakistan	Mardan, PK	2/10/1975
468	KHAN, EZAT	314	Afghanistan	Sei, AF	1/1/1966
469	KHAN, HAJI NASRAT	1009	Afghanistan	Kabul, AF	1/1/1935
470	KHAN, HAMOOD ULLAH	145	Pakistan	Hyderabad, PK	3/15/1971
471	KHAN, HAZRAT SANGIN	366	Afghanistan	Lowal, AF	1/1/1977
472	KHAN, ISA	23	Pakistan	Bannu, PK	4/1/1975
473	KHAN, JANAN TAUS	124	Afghanistan	Kandahar, AF	9/15/1981
474	KHAN, JUMA	443	Afghanistan	Kona Charbolak, AF	1/1/1972
475	KHAN, KAKAI	1075	Afghanistan	Gardez, AF	1/1/1971
476	KHAN, MOHABET	909	Afghanistan	Alipoor, PK	1/1/1972
477	KHAN, MOHAMMAD KASHEF	146	Pakistan	Karachi, PK	1/12/1979
478	KHAN, MOHAMMED	910	Afghanistan	Shah Toria, AF	1/1/1982
479	KHAN, MUHAMMED IJAZ	17	Pakistan	Kafilgarh, PK	8/10/1976
480	KHAN, OSMAN	818	Afghanistan	Bermel, AF	1/1/1952
481	KHAN, SHARDAR	914	Afghanistan	Gardez, AF	1/1/1982
482	KHAN, SHAWALI	899	Afghanistan	Kandahar, AF	1/1/1963
483	KHAN, SWAR	933	Afghanistan	Khowst, AF	1/1/1970

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484	KHAN, TARIQ	97	Pakistan	Village 426, PK	1/1/1978
485	KHAN, TILA MOHAMMED	830	Pakistan	Wazierstan, PK	1/1/1980
486	KHANTUMANI, ABD AL NASIR MOHAMMED ABD AL QADIR	307	Syria	Halab, SY	1/1/1960
487	KHANTUMANI, MUHAMMAD ABD AL NASIR MUHAMMAD	312	Syria	Halab, SY	1/7/1982
488	KHIRULLAH AKAH	518	Afghanistan	Afghanistan	UNKNOWN
489	KHNENAH, MUHAMMED ALI HUSSEIN	254	Yemen	Ktaph, YM	UNKNOWN
490	KHOWLAN, ABDUL RAHMAN MOHAMMED HUSSEIN	513	Saudi Arabia	Taif, SA	1/1/1972
491	KHUSRUF, MOHAMMED NASIR YAHYA	509	Yemen	Taiz, YM	2/1/1950
492	KIYEMBA, JAMAL ABDULLAH	701	Uganda	Bunamwaya, UG	4/22/1979
493	KUCHI, HAJI NIAM	931	Afghanistan	Logar, AF	1/1/1940
494	KURD, MOHAMED ANWAR	676	Iran	Zahedan, IR	3/4/1979
495	LAGHA, LUFTI BIN SWEI	660	Tunisia	Tunis, Tunisia	11/29/1968
496	LAHASSIMI, NAJIB MOHAMMAD	75	Morocco	Sattat, MO	9/28/1978
497	LAHMAR, SABIR MAHFOUZ	10002	Algeria	Constantin, Algeria	5/22/1969
498	LAYAR, SABIT	365	Afghanistan	Sawali Khot, AF	1/1/1981
499	LNU, AMANULLAH	970	Afghanistan	UNKNOWN	1/1/1963
500	LNU, NASIBULLAH	1019	Afghanistan	Jalazai, AF	1/1/1967
501	LNU, SADEE EIDEOV	665	Tajikistan	Kamsamulabad Reyhan, Tajikista	1/1/1953
502	LNU, SHARIFULLAH	944	Afghanistan	Jalalabad, AF	1/1/1980
503	MADNI, HAFEZ QARI MOHAMED SAAD IQBAL	743	Pakistan	Pakistan	10/17/1977
504	MAGRUPOV, ABDULLAH TOHTASINOVICH	528	Kazakhstan	Semeya, Kazakhstan	5/14/1983
505	MAHDI, FAWAZ NAMAN HAMOUD ABDULLAH	678	Yemen	The Shaira, YM	1/1/1980
506	MAHJOUB, MUHAMMED AL GHAZALI BABAKER	700	Sudan	Um Durman, SU	12/14/1973
507	MAHMUD, ARKIN	103	China	Ghulja, CH	7/1/1964
508	MAHNUT, BAHTIYAR	277	China	Ghulja, CH	1/18/1976
509	MAKRAM, MURTADHA AL SAID	187	Saudi Arabia	Riyadh, SA	3/28/1976
510	MALANG, NASSIR	355	Afghanistan	Kandahar, AF	1/1/1972
511	MAMUT, ABDUL HELIL	278	China	Kashkar, CH	1/1/1977
512	MANZU, HAFICE LEQEAT	139	Pakistan	Kanaval District, PK	1/12/1977
513	MAR'I, JAMAL MUHAMMAD 'ALAWI	577	Yemen	Dhamar, YM	UNKNOWN
514	MART, MAHMUD NURI	543	Turkey	Agri, Turkey	9/27/1971
515	MASUD, SHARAF AHMAD MUHAMMAD	170	Yemen	Sana'a, SA	1/1/1978
516	MATIN, ABDUL	1002	Afghanistan	Jowzjan, AF	1/1/1965
517	MAZHARUDIN, FNU	731	Tajikistan	Pajpai, PK	12/1/1979
518	MEHMOOD, MAJID	624	Pakistan	Bahawal District, PK	3/3/1979
519	MELMA, SABAR LAL	801	Afghanistan	Darya-e-Pech, AF	1/1/1962
520	MINGAZOV, RAVIL	702	Russia	Bolshetserki, RS	12/5/1967
521	MIRMUHAMMAD, SHARGHULAB	313	Afghanistan	Brayiam, AF	1/1/1972
522	MIZOUZ, MOHAMMED	294	Morocco	Casablanca, MO	12/31/1973
523	MOHAMED, AHMED	328	China	Artush, CH	5/1/1978
524	MOHAMED, FAHED NASSER	13	Saudi Arabia	Abaha, SA	2/25/1982
525	MOHAMMAD, AKHTAR 2	969	Afghanistan	UNKNOWN	UNKNOWN
526	MOHAMMAD, AKHTIAR	1036	Afghanistan	Kundarkheil, AF	1/1/1953
527	MOHAMMAD, MOHAMMAD LAMEEN SIDI	706	Mauritania	Zandeer, Niger	9/10/1981

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528	MOHAMMAD, TARIK	136	Pakistan	Kohat, PK	2/25/1972
529	MOHAMMADULLAH	347	Afghanistan	Manu, AF	1/1/1974
530	MOHAMMED, AKHTAR	845	Afghanistan	Barogai, AF	1/1/1970
531	MOHAMMED, ALI 2	634	Pakistan	Rahamibad, PK	1/1/1952
532	MOHAMMED, ALI MUHAMMED NASIR	172	Saudi Arabia	Jedda, SA	12/1/1982
533	MOHAMMED, ALIF	972	Afghanistan	Helmand, AF	1/1/1946
534	MOHAMMED, HAJI FAIZ	657	Afghanistan	Rasham Village, AF	UNKNOWN
535	MOHAMMED, HAJI WALI	560	Afghanistan	Baghlan, AF	2/15/1966
536	MOHAMMED, HUSSEIN SALEM	1015	Yemen	Aden, YM	1/1/1977
537	MOHAMMED, KAHLID SAAD	335	Saudi Arabia	Al Tabia, SA	7/13/1973
538	MOHAMMED, MIRZA	644	Afghanistan	Gorband, AF	1/1/1964
539	MOHAMMED, NAG	102	China	Khulga, CH	5/4/1975
540	MOHAMMED, RASOOL SHAHWALI ZAIR MOHAMMED	835	Afghanistan	Lowara, AF	1/1/1978
541	MOHAMMED, SAID	1056	Afghanistan	Afghanistan	1/1/1977
542	MOHAMMED, SALMAN SAAD AL KHADI	121	Saudi Arabia	Riyadh, SA	1/14/1982
543	MOHAMMED, SULTAN	517	Afghanistan	Qal eh, AF	1/1/1976
544	MOHAMMED, TAJ	902	Afghanistan	Afghanistan	1/1/1981
545	MOHAMMED, WALI	547	Afghanistan	Kandahar, AF	1/1/1964
546	MOHHAMED, HANIF	305	Pakistan	Adda Shenal, PK	1/1/1982
547	MOHHAMED, SOHAB MAHUD	563	Iraq	Piboss, Iraq	8/17/1981
548	MOQBEL, SAMIR NAJI AL HASAN	43	Yemen	Ta'iz, YM	12/1/1977
549	MOQBILL, MUHSIN MUHAMMAD MUSHEEN	193	Yemen	Ta'iz, YM	UNKNOWN
550	MOUHAMMAD, MAASOUM ABDAH	330	Syria	Al Qameshle, SY	1/1/1972
551	MOWLA, ABDUL	442	Pakistan	Malakan District, PK	1/1/1969
552	MUBANGA, MARTIN JOHN	10007	United Kingdom	Luasaka, ZA	9/24/1972
553	MUHAMMAD, ABD AL RAHMAN ABDULLAH ALI	224	Yemen	Sinai, YM	1/1/1982
554	MUHAMMAED, NOOR UTHMAN	707	Sudan	Kasala, SU	UNKNOWN
555	MUHAMMED, ABDUL MAJID	555	Iran	Zahedan, IR	1/1/1979
556	MUHAMMED, HAJI	649	France	Medina, SA	1/1/1962
557	MUHAMMED, PETA	908	Afghanistan	Gardez, AF	1/1/1985
558	MUHIBULLAH, FNU	546	Afghanistan	Shah Wali Koot, AF	1/1/1982
559	MUJAHID	1100	Afghanistan	Paktia, AF	1/1/1971
560	MUSLIMDOST, ABDUL RAHIM	561	Afghanistan	Nangarhar, AF	1/1/1960
561	MUST, YARASS ALI	315	Afghanistan	UNKNOWN	1/1/1972
562	MUSTAFA, KHALED BEN	236	France	Lyons, FR	1/9/1972
563	NABIED, YUSEF	83	Tajikistan	Isfara, Tajikistan	8/5/1963
564	NAFEESI, ABDUL SATAR	11	Pakistan	Miachinu, PK	1/8/1971
565	NAJI, AZIZ ABDUL	744	Algeria	Batna, Algeria	5/4/1975
566	NASEER, MUNIR BIN	85	Pakistan	Karachi, PK	2/27/1978
567	NASERULLAH, FNU	967	Afghanistan	Helmand, AF	1/1/1980
568	NASHIR, SA ID SALIH SA ID	841	Yemen	Habilain, YM	1/1/1974
569	NASIM, MOHAMMAD	453	Afghanistan	Shahidan, AF	1/1/1973
570	NASIM, MOHAMMED 2	849	Afghanistan	Megan, AF	1/1/1980
571	NASIM, MOHAMMED 3	958	Afghanistan	Pai Warzai, AF	1/1/1962

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572	NASIR, ABDUL	874	Afghanistan	Kabul, AF	1/1/1981
573	NASIR, ABDUL LATIF	244	Morocco	Casablanca, MO	3/4/1965
574	NASIR, ALLAH	951	Afghanistan	Zalahka, AF	1/1/1947
575	NASRAT YAR, HIZTULLAH	977	Afghanistan	Surubee, AF	1/1/1970
576	NASRULLAH, FNU	886	Afghanistan	Oruzgan, AF	1/1/1979
577	NASSERI, RIYAD BIL MOHAMMMED TAHIR	510	Tunisia	Gafsa, Tunisia	7/8/1966
578	NASSIR, JAMIL AHMED SAID	728	Yemen	Ta'iz, YM	1/1/1970
579	NECHLE, MOHAMMED	10003	Algeria	Laghouat, Algeria	4/2/1968
580	NOMAN, MOHAMMED	541	Pakistan	Pakistan	1/1/1977
581	NOOR, HABIB	1041	Afghanistan	Mangal Village, AF	1/1/1968
582	NOORALLAH, HAJI	494	Afghanistan	Andkhoy, AF	1/1/1971
583	NOORANI, ABDUL RAHMAN	582	Afghanistan	Afghanistan	1/1/1973
584	NOORI, ADEL	584	China	Xing Xiang, CH	11/12/1979
585	NOORI, MULLAH NORULLAH	6	Afghanistan	Shajoie, AF	1/1/1967
586	NUR, YUSIF KHALIL ABDALLAH	73	Saudi Arabia	Mecca, SA	3/16/1982
587	OB Aidullah	762	Afghanistan	Khowst, AF	1/1/1980
588	ODIJEV, RUSLAN ANATOLIVICH	211	Russia	Prolandnom, RU	12/5/1973
589	OMAR, ABDULLAH BIN	721	Tunisia	Massoulta, Tunisia	6/28/1956
590	OMAR, MOHAMMED	540	Pakistan	Larkana, PK	1/1/1986
591	OMARI, MOHAMMAD NABI	832	Afghanistan	Khowst, AF	1/1/1968
592	OURGY, ABDUL BIN MOHAMMED BIN ABESS	502	Tunisia	Tunis, Tunisia	7/25/1965
593	PARACHA, SAIFULLAH	1094	Pakistan	Mongwal, PK	8/17/1947
594	PARHAT, HOZAIFA	320	China	Ghulja, CH	2/11/1971
595	PEERZAI, QARI HASAN ULLA	562	Afghanistan	Baghran, AF	1/1/1977
596	QA ID, RASHID ABD AL MUSLIH QA ID AL	344	Saudi Arabia	Sakahka, SA	12/20/1959
597	QADER IDRIS, IDRIS AHMED ABDU	35	Yemen	Rada, YM	1/1/1979
598	QADER, Ahmed Abdul	690	Yemen	Sana'a, YM	1/1/1983
599	QAHTANI, SAID MUHAMMAD HUSYAN	200	Saudi Arabia	Khamees Mushail, SA	1/1/1978
600	QASIM, ABU BAKR	283	China	Ghulja, CH	5/13/1969
601	QASIM, KHALED	242	Yemen	Themeir, YM	1/21/1977
602	QATTAA, MANSOOR MUHAMMED ALI	566	Saudi Arabia	Ta'if, SA	1/1/1982
603	QUASAM, MOHAMMED	955	Afghanistan	Bamian, AF	1/1/1977
604	QUDUS, ABDUL	929	Afghanistan	Nadali, AF	1/1/1988
605	QYATI, ABDUL RAHMAN UMIR AL	461	Yemen	Jeddah, SA	1/1/1976
606	RABBANI, MOHAMMED AHMAD GHULAM	1461	Pakistan	al Medinah, SA	1/1/1970
607	RABEII, SALMAN YAHYA HASSAN MOHAMMED	508	Yemen	Jedda, SA	6/30/1979
608	RAFIQ, MOHAMMED	495	Pakistan	Kabal, PK	1/1/1980
609	RAHEEM, AL RACHID HASAN AHMAD ABDUL	714	Sudan	Al-Ubayyid, SU	7/29/1965
610	RAHIM, ABDUL 6	897	Afghanistan	Sharshar, AF	1/1/1975
611	RAHIM, MOHAMED	1104	Afghanistan	Ghazni, AF	UNKNOWN
612	RAHMAD, NISAR	630	Afghanistan	Afghanistan	1/1/1980
613	RAHMAN, ABDUL 12	549	Yemen	Hadramaut, YM	1/1/1976
614	RAHMAN, ABDUL 4	357	Afghanistan	Haji Baras, AF	1/1/1976
615	RAHMAN, FIZAULLA	496	Afghanistan	Sancharak, AF	1/1/1978

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

616	RAHMAN, HABIB	907	Afghanistan	Mansaira, PK	1/1/1982
617	RAHMAN, MAHBUB	1052	Afghanistan	Khowst, AF	1/1/1985
618	RAHMAN, MOHAMMED ABDUL 2	894	Tunisia	Tunis, T S	1/1/1965
619	RAHMAN, MURTAZAH ABDUL	361	Afghanistan	Nadali, AF	1/1/1976
620	RAHMAN, SHED ABDUR	581	Afghanistan	Pishin, PK	1/1/1965
621	RAHMATULLAH, FNU	964	Afghanistan	Helmand, AF	1/1/1981
622	RASHIDI, AHMED	590	Morocco	Tanjier, MO	3/16/1966
623	RASOOL, HABIB	120	Afghanistan	Khowst, AF	1/1/1955
624	RASOUL, ABDULLAH GULAM	8	Afghanistan	Hilmand, AF	1/1/1973
625	RASUL, SHAFIQ	86	United Kingdom	Dudley, England	1/1/1973
626	RAZ, MOHAMMED	106	Afghanistan	UNKNOWN	1/1/1969
627	RAZA, ABID	299	Pakistan	Digary Sindh, PK	2/10/1981
628	RAZA, MOHAMMED ARSHAD	147	Pakistan	Bahawal Nagar, PK	1/1/1980
629	RAZAK, ABDUL	1043	Afghanistan	Kandahar, AF	1/1/1958
630	RAZAK, ABDUL	219	China	Atush, CH	UNKNOWN
631	RAZAQ, ABDUL	356	Afghanistan	Tashkent, UZ	1/1/1971
632	RAZI, ABDUL	99	Pakistan	Kot Marakand, PK	4/22/1972
633	RAZZAK, ABDUL	942	Afghanistan	Kandahar, AF	1/1/1939
634	RAZZAQ, ABDUL	923	Afghanistan	Kadahar, AF	1/1/1964
635	RUHANI, GHOLAM	3	Afghanistan	Ghazni, AF	1/1/1975
636	SA ID ALI JABIR AL KHATHIM AL SHIHRI	372	Saudi Arabia	Riyadh, SA	9/12/1973
637	SADIK, MAHMUD	512	Afghanistan	UNKNOWN	1/1/1952
638	SADIQ, MOHAMMED	349	Afghanistan	UNKNOWN	1/1/1913
639	SADIQI, ABDUL HALIM	1007	Pakistan	Pakistan	1/1/1968
640	SADKHAN, JAWAD JABBER	433	Iraq	Diwaniya, Iraq	6/1/1967
641	SAEED, HAFIZ IHSAN	98	Pakistan	Lahore, PK	12/23/1978
642	SAFOLLAH, GHASER ZABAN	134	Pakistan	Madanchak, PK	1/1/1979
643	SAID KUMAN, AHMED YASLAM	321	Yemen	Hathramout, YM	1/15/1981
644	SAID, HASSAN MUJAMMA RABAI	175	Algeria	Oum el Bouaghi, Algeria	2/5/1976
645	SAID, SALAM ABDULLAH	126	Saudi Arabia	Tabokh, SA	2/13/1981
646	SALAAM, ABDUL	826	Afghanistan	Birmal, AF	1/1/1975
647	SALAM, MOHAMMED AHMED	689	Yemen	Ta'iz, YM	10/1/1980
648	SALEEM, ALLAH MUHAMMED	716	Egypt	Al-Bajoor, EG	1/13/1967
649	SALEH GANMI, ABDULLAH MUHAMMAD	266	Saudi Arabia	Rabug, SA	1/1/1974
650	SALEH NASER, ABDUL RAHMAN MOHAMED	115	Yemen	Ma'rib, YM	1/1/1980
651	SALEH, AYOUB MURSHID ALI	836	Yemen	Usabee, YM	4/29/1978
652	SALEHOVE, MAROOF SALEEMOVICH	208	Tajikistan	Dushanbe, Tajikistan	3/3/1978
653	SALEM AL ZARNUKI, MOHAMMED ALI	691	Yemen	Husayneyah, YM	UNKNOWN
654	SALIH, ABDUL AL RAZZAQ MUHAMMAD	233	Yemen	Al Gidd Al Hajjah, YM	1/1/1973
655	SALIH, ALI MOHSEN	221	Yemen	Guban, YM	10/26/1980
656	SAMAD, ABDUL	911	Afghanistan	Zormat, AF	1/1/1982
657	SANGARYAR, RAHMATULLAH	890	Afghanistan	Oruzgan, AF	1/1/1968
658	SANGHIR, MOHAMMAD	143	Pakistan	Kohestan, AF	1/1/1952
659	SARAJUDDIN, ABIB	458	Afghanistan	Zamikhel, AF	1/1/1942

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

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**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

660	SARGIDENE, MOHAMMED	358	Afghanistan	Archasan, AF	1/1/1977
661	SARWAR, KARI MOHAMMED	667	Afghanistan	Ashakay Village, AF	1/1/1978
662	SASSI, NIZAR	325	France	Lyons, FR	8/1/1979
663	SATTAR, ABDUL	10	Pakistan	Bumb, PK	11/12/1981
664	SAYAB, MUTIJ SADIZ AHMAD	288	Algeria	UNKNOWN	7/1/1976
665	SAYED, ABDUL HADI MUHAMED RASUL	352	Afghanistan	Helmand, AF	1/1/1973
666	SAYED, MOHAMMED	18	Pakistan	Abbotabad, PK	1/1/1973
667	SEBAI, MOHAMMED JAYED	319	Saudi Arabia	Riyadh, SA	4/1/1983
668	SEBAII, ABDEL HADI MOHAMMED BADAN AL SEBAII	64	Saudi Arabia	El Kharg, SA	8/23/1971
669	SEN, IBRAHIM SHAFIR	297	Turkey	Van, Turkey	10/10/1980
670	SEN, MESUT	296	Belgium	Brussels, BE	2/20/1980
671	SHAABAN, ALI HUSEIN	327	Syria	Utaiba, SY	3/6/1982
672	SHAH, ALI	1154	Afghanistan	Gardez, AF	1/1/1959
673	SHAH, NAHIR	1010	Afghanistan	Kaplsa, AF	1/1/1973
674	SHAH, QALANDAR	812	Afghanistan	Kandahar, AF	1/1/1973
675	SHAH, SAID MOHAMMED ALIM	92	Afghanistan	Helmand, AF	1/1/1978
676	SHAH, SOLAIMAN DUR MOHAMMED	119	Afghanistan	Panjwae, AF	1/1/1977
677	SHAH, ZAKIM	898	Afghanistan	Tora Oba, AF	1/1/1983
678	SHAHEEN NAQEEBYLLAH, SHAHWALI, ZAIR MOHAMMED	834	Afghanistan	Khowst, AF	6/1/1976
679	SHAHIR, WALID MOHAMMED	1014	Yemen	Al Tawahi, YM	1/1/1979
680	SHAHZADA, HAJI	952	Afghanistan	Belanday, AF	1/1/1959
681	SHAKARAN, IBRAHIM BIN	587	Morocco	Casablanca, MO	8/4/1979
682	SHALABI, ABDUL RAHMAN	42	Saudi Arabia	Medina, SA	12/4/1975
683	SHARBAT	1051	Afghanistan	Khairo Village	1/1/1973
684	SHARIF, MOHAMMED	532	Afghanistan	Kalina, AF	1/1/1976
685	SHARIPOV, ALMASM RABILAVICH	209	Russia	Avzion, RU	4/23/1971
686	SHARQAWI, ABDO ALI AL HAJI	1457	Yemen	Taiz, SA	5/26/1974
687	SHAYBAN, SAID BEZAN ASHEK	346	Saudi Arabia	Ta'iz, SA	1/1/1981
688	SHILI, IBRAHIM RUSHDAN BRAYK AL-	127	Saudi	Medina, SA	1/1/1981
689	SHOKURI, YUNIS ABDURRAHMAN	197	Morocco	Asafi, MO	4/5/1968
690	SLAHI, MOHAMEDOU OULD	760	Mauritania	Rosso, MR	12/21/1970
691	SLITI, HISHAM BIN ALI BIN AMOR	174	Tunisia	Hamam Lif, Tunisia	2/12/1966
692	SOHAIL, MOHAMMED MUSTAFA	1008	Afghanistan	Jalalabad, AF	1/1/1981
693	SOULEIMANI LAALMAI, MOHAMAD	237	Morocco	Casablanca, MO	1/19/1976
694	SUBII, NASIR MAZIYAD ABDALLAH AL QURAYSHI AL	497	Saudi Arabia	Kasim, SA	9/16/1970
695	SULAYMAN, ABDUL RAHMAN ABDUL ABU GHITYH	223	Yemen	Ta'iz, YM	1/1/1979
696	SULEIMAN, FAYIZ AHMAD YAHIA	153	Yemen	Jeddah, SA	1/1/1974
697	SULEYMAN, AHMED HASSAN JAMIL	662	Jordan	Aman, JO	6/4/1961
698	SULTAN, ASHRAF SALIM ABD AL SALAM	263	Libya	Jedda, SA	7/5/1971
699	SULTAN, FAHA	130	Saudi Arabia	Jeddah, SA	1/1/1972
700	SULTAN, ZAHID	300	Pakistan	Abdabot, PK	2/10/1981
701	TAHAMUTTAN, MOHAMMED ABDULLAH	684	West Bank	Burka, WE	12/1/1979
702	TAHAR, MOHMMAD AHMAD ALI	679	Yemen	Ib, YM	1/1/1980
703	TAHIR, MOHAMMED	643	Afghanistan	Mirkhan Khail, AF	1/1/1975

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**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

704	TARIQ, MOHAMMED	137	Pakistan	Alladand Dehry, PK	3/10/1973
705	TAYEEA, ALI ABDUL MOTALIB AWAYD HASSAN AL	111	Iraq	Baghdad, Iraq	UNKNOWN
706	THANI, ABDALLAH FARIS AL UNAZI	514	Saudi Arabia	Saudi Arabia	1/31/1980
707	TORJAN, SHAIBJAN	362	Afghanistan	Kandahar, AF	1/1/1977
708	TOURSON, AHMAD	201	China	Xinjiang, CH	1/26/1971
709	TSIRADZHO, POOLAD T	89	Azerbaijan	Baku, AJ	5/6/1975
710	TUKHI, AMINULLAH BARYALAI	1012	Afghanistan	Heart, AF	1/1/1972
711	TURKASH, EMDASH ABDULLAH	500	Turkmenistan	Ghazni, AF	1/1/1941
712	TURKI MASH AWI ZAYID AL ASIRI	185	Saudi Arabia	Taboq, SA	3/8/1975
713	TURKISTANI, SADIK AHMAD	491	Saudi Arabia	Taif, SA	UNKNOWN
714	UL HAQ, ISRAR	515	Pakistan	Topi, PK	1/1/1980
715	UL SHAH, ZIA	15	Pakistan	Karachi, PK	5/1/1976
716	ULLAH, AMIN	848	Afghanistan	Chogha, AF	1/1/1956
717	ULLAH, ASAD	47	Pakistan	Swahbi, PK	1/1/1981
718	ULLAH, ASAD	912	Afghanistan	Paktia, AF	1/1/1988
719	ULLAH, FAIZ	919	Afghanistan	Bamian, AF	1/1/1956
720	ULLAH, NAQIB	913	Afghanistan	Zargary Camp, PK	1/1/1988
721	ULLAH, NOOR HABIB	626	Afghanistan	Jalalabad, AF	1/1/1980
722	ULLAH, SHAMS	783	Afghanistan	Gulnoom Khan, AF	1/1/1986
723	UMAR, IBRAHIM UMAR ALI AL-	585	Saudi	Al Qaseem, SA	1/1/1983
724	URAYMAN, SAJIN	545	Pakistan	Gujaranwala, PK	1/1/1984
725	USMAN, SHABIDZADA	12	Pakistan	Malal, PK	3/5/1982
726	UTHMAN, UTHMAN ABDUL RAHIM MOHAMMED	27	Yemen	Aden, YM	1/1/1979
727	UWAYDAH, RASHID AWAD RASHID AL	664	Saudi Arabia	Sakaka, SA	1/1/1976
728	UYAR, SALIH	298	Turkey	Kojaeli, Turkey	4/14/1981
729	VAHITOV, AIAT NASIMOVICH	492	Russia	Naberyozhnyj, RS	3/27/1977
730	WAHAB, ABDUL	961	Afghanistan	Afghanistan	1/1/1968
731	WAHEED, ABDUL	353	Afghanistan	Musa Qala, AF	1/1/1972
732	WAKIL, HAJI SAHIB ROHULLAH	798	Afghanistan	Jalalabad, AF	1/1/1962
733	WALI, BADSHAH	638	Afghanistan	Khowst, AF	1/1/1977
734	WALI, JIHAN	444	Pakistan	Diir, PK	1/1/1967
735	WALIJAN, NEYAZ	640	Afghanistan	Khowst, AF	1/1/1962
736	WASIM	338	Saudi Arabia	Al Jauf, SA	11/18/1963
737	WASIQ, ABDUL HAQ	4	Afghanistan	Ghazni, AF	1/1/1971
738	WAZIR, ABDULLAH	976	Afghanistan	Sheikh Amir, AF	1/1/1979
739	WAZIR, HAJI MOHAMMED	996	Afghanistan	Lashkargh City, AF	1/1/1943
740	WAZIR, PADSHA	631	Afghanistan	Kundai, AF	1/1/1972
741	YACOUB, MOHAMMED	1004	Afghanistan	Khwazak, AF	1/1/1976
742	YADEL, BRAHIM	371	France	Aubervilliers, FR	3/17/1971
743	YAKUBI	1165	Afghanistan	Gardiz, AF	2/15/1966
744	YAQUB, MOHAMMED YUSIF	367	Afghanistan	Nimbrooz, AF	UNKNOWN
745	YAR, KUSHKY	971	Afghanistan	Lejay Village, AF	1/1/1963
746	YASSER, HIMDY	9	Saudi Arabia / USA	Baton Rouge, Louisiana	11/17/1979
747	YOUSEF, MOHAMMED HAJI	820	Afghanistan	Bermal, AF	1/1/1967

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

**List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006**

748	ZAEFF, ABDUL SALAM	306	Afghanistan	Kandahar, AF	1/1/1967
749	ZAHIR, ABDUL	753	Afghanistan	Hasarak, AF	1/1/1972
750	ZAHIR, MOHOMMOD	1103	Afghanistan	Ghazni, AF	1/1/1953
751	ZAHOR, ABDUL	949	Afghanistan	Charikar, AF	1/1/1964
752	ZAHRANI, FAWAZ ABD AL-AZIZ AL-	125	Saudi	Medina, SA	1/1/1978
753	ZAID, WALID SAID BIN SAID	550	Yemen	Ta'iz, YM	2/2/1978
754	ZAMAN, GUL	459	Afghanistan	Khowst, AF	1/1/1971
755	ZAMAN, KHAN	460	Afghanistan	Zani Khel, AF	1/1/1962
756	ZEMMORI, MOSA ZI	270	Belgium	Wilryk, Belgium	8/3/1978
757	ZIDAN, IBRAHIM MACHD ACHMED	761	Libya	Sorman, LY	11/5/1976
758	ZUMARIKOURT, AZIZ KHAN ALI KHAN	348	Afghanistan	Mushkail, AF	1/1/1962
759	ZUMIRI, HASSAN	533	Algeria	Algiers, AL	9/8/1967

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\*\* Birth dates that state "1/1/XX" indicate unknown month and day of birth.

# Exhibit Y

CONSOLIDATED CHRONOLOGICAL LISTING OF GTMO DETAINEES RELEASED, TRANSFERRED OR DECEASED

Last Update:				
9 Oct 08 at 1200		(b)(2)		
Order	Short ISN	Reference Name	Release or Transfer Date	Nationality
1	009	YASSER HINDY	4 Apr 02	Saudi Arabia
2	356	RAZIQ ABDUL	15 Sep 02	Afghanistan
3	107	BARAKZAI JON MOHAMMAD	28 Oct 02	Afghanistan
4	143	SANGHIR MOHAMMAD	28 Oct 02	Pakistan
5	348	SADQ MOHAMMED	28 Oct 02	Afghanistan
6	657	MOHAMMED HAJI FAIZ	28 Oct 02	Afghanistan
7	119	SHAH SOLAIMAN DUR MOHAMMED	23 Mar 03	Afghanistan
8	313	IRMOHAMMAD SHARGHULAB	23 Mar 03	Afghanistan
9	314	KHAN EZAT	23 Mar 03	Afghanistan
10	315	MUST YARASS ALI	23 Mar 03	Afghanistan
11	350	EHSSANULLAH	23 Mar 03	Afghanistan
12	355	WALID NASSIR	23 Mar 03	Afghanistan
13	358	SARGIDENE MOHAMMED	23 Mar 03	Afghanistan
14	360	EDMONDADA ABDULLAH	23 Mar 03	Afghanistan
15	361	RAHMAN MURTAZAH ABDUL	23 Mar 03	Afghanistan
16	362	TORJAN SHAIBJAN	23 Mar 03	Afghanistan
17	363	IGHAFOOR SHAI JAHN	23 Mar 03	Afghanistan
18	638	IWALI BADSHAH	23 Mar 03	Afghanistan
19	640	IWALJAN NEYAL	23 Mar 03	Afghanistan
20	644	MOHAMMED MIRZA	23 Mar 03	Afghanistan
21	645	KABEL MOHAMED	23 Mar 03	Afghanistan
22	858	IBSMILLAH	23 Mar 03	Afghanistan
23	871	FABASIN SAID	23 Mar 03	Afghanistan
24	673	KHAN ALIF	23 Mar 03	Afghanistan
25	012	USMAN SHABIDZADA	8 May 03	Pakistan
26	018	ALIKHAI SHA MOHAMMED	8 May 03	Pakistan
27	364	KAKAR MOHAMMED RAZ MOHAMMED	8 May 03	Afghanistan
28	367	YAGUB MOHAMMED YUSIF	8 May 03	Afghanistan
29	444	IWALI JIHAN	8 May 03	Pakistan
30	517	MOHAMMED SULTAN	8 May 03	Afghanistan
31	520	KARIM ABDUL	8 May 03	Afghanistan
32	523	EHSSANULLAH	8 May 03	Afghanistan
33	531	HANAN ABDEL	8 May 03	Afghanistan
34	628	ALIZAI NEMATULLAH SAHIB KHAN	8 May 03	Afghanistan
35	629	ALIKHAN MAHNGUR	8 May 03	Afghanistan
36	832	KHIFAR MOHAMMED ROSTUM	8 May 03	Afghanistan
37	843	TAHIR MOHAMMED	8 May 03	Afghanistan
38	071	AL SHEDDORY MISHAL MUHAMMAD RASHID	14 May 03	Saudi Arabia
39	080	AL SHABANI FAHD ABDALLAH IBRAHIM	14 May 03	Saudi Arabia
40	125	ZARRANI FARAZ ABO AL AZIZ AL	14 May 03	Saudi Arabia
41	127	SHILI IBRAHIM RUSHDAN BRAYK AL	14 May 03	Saudi Arabia
42	585	UMAR IBRAHIM UMAR ALI AL	14 May 03	Saudi Arabia
43	056	AHMAD ABDULLAH TABARAK	1 Jul 03	Morocco
44	663	AL WALEEL FAEL RODA	1 Jul 03	Egypt
45	016	AL DEEN JAMAL MUHAMMAD	16 Jul 03	Pakistan
46	021	HUDIN SALAH	16 Jul 03	Pakistan
47	047	ULLAH ASAD	16 Jul 03	Afghanistan
48	087	KHAN YASIQ	16 Jul 03	Pakistan
49	099	RAZIQ ABDUL	16 Jul 03	Pakistan
50	106	RAZ MOHAMMED	16 Jul 03	Afghanistan
51	134	SAPOLLAT GHASER ZABAN	16 Jul 03	Pakistan
52	148	KHAN MOHAMMAD KASHEE	16 Jul 03	Pakistan
53	210	IQBAL FAIK	16 Jul 03	Pakistan
54	303	AHMED ALI	16 Jul 03	Pakistan
55	304	ANSAR MOHAMMED	16 Jul 03	Pakistan
56	316	GHULADKHAN	16 Jul 03	Afghanistan
57	347	MOHAMMADJULLAH	16 Jul 03	Afghanistan
58	353	WAHED ABDUL	16 Jul 03	Afghanistan
59	365	LAYAL SABIT	16 Jul 03	Afghanistan
60	442	ULUN ABDUL MOWLA	16 Jul 03	Pakistan

DECLASSIFIED BY OARDEC  
DATE: NOVEMBER 25, 2008

CONSOLIDATED CHRONOLOGICAL LISTING OF GTMO DETAINEES RELEASED, TRANSFERRED OR DECEASED

Last Update:  
9 Oct 08 at 1200

(b)(2)

(b)(2)

Order	Short ISN	Reference Name	Release or Transfer Date	Nationality
81	512	SADIK, MAHMUD	16 Jul 03	Afghanistan
82	545	IRAYIMAN, SAJIN	16 Jul 03	Pakistan
83	580	AHMAD, NOOR	16 Jul 03	Afghanistan
84	582	NOORANI, ABDUL RAHMAN	16 Jul 03	Afghanistan
85	826	ULLAH, NOOR HABBIB	16 Jul 03	Afghanistan
86	850	RAHMAD, NISAR	16 Jul 03	Afghanistan
87	833	FAROUQ, MOHAMMED NAYIM	16 Jul 03	Afghanistan
88	835	AKHBAR, MOHAMMAD	16 Jul 03	Afghanistan
89	838	GHUL, NAHID	16 Jul 03	Afghanistan
90	846	AKEZKAI, AZIZULLAH	16 Jul 03	Afghanistan
91	867	SARWAR, KARI MOHAMMED	16 Jul 03	Afghanistan
92	020	ISHAQ, MOHAMMED	18 Nov 03	Pakistan
93	124	KHAN, JANAN FAJIB	18 Nov 03	Afghanistan
94	135	KHAN, EJAZ AHMAD	18 Nov 03	Pakistan
95	139	MANZU, HAFICE LEOEAT	18 Nov 03	Pakistan
96	261	CELIK GOGUS, YUKSEK	18 Nov 03	Turkey
97	297	SEN, IBRAHIM SHAFIR	18 Nov 03	Turkey
98	352	SAYED, ABDUL HADI MUHAMMED RASUL	18 Nov 03	Afghanistan
99	354	GHANI, NABUL ABDUL	18 Nov 03	Afghanistan
100	443	KHAN, JULIA	18 Nov 03	Afghanistan
101	518	KHIRULLAH AKAH	18 Nov 03	Afghanistan
102	824	MEHMOOD, MAJID	18 Nov 03	Pakistan
103	837	INSANULLAH, FNU	18 Nov 03	Afghanistan
104	842	HAMIDULLAH, FNU	18 Nov 03	Afghanistan
105	856	BAQI, ABDUL	18 Nov 03	Afghanistan
106	866	HEZBULLAH, FNU	18 Nov 03	Afghanistan
107	877	GHUL, WAZIR ZALIM	18 Nov 03	Afghanistan
108	711	ABDUL HAMID, HASSAN KHALIL MOHAMMOUD	18 Nov 03	Jordan
109	820	YOUSUF, MOHAMMED HAJI	18 Nov 03	Afghanistan
110	830	KHAN, TILA MOHAMMED	18 Nov 03	Pakistan
111	960	KHADR, ABDUL	18 Nov 03	Canada
112	085	NASEER, MUNIR BIN	30 Nov 03	Pakistan
113	136	MOHAMMAD, TARIK	30 Nov 03	Pakistan
114	189	AL AMRANI, AYMAN MOHAMMAD SILMAN	30 Nov 03	Jordan
115	912	ULLAH, ASAD	28 Jan 04	Afghanistan
116	913	ULLAH, NAQIB	28 Jan 04	Afghanistan
117	930	SHALI, MOHAMMED	28 Jan 04	Afghanistan
118	287	AHMAD, AHMAD ABD AL RAHMAN	13 Feb 04	Sudan
119	323	ABDERRAHMANE, SLIMANE HADJ	24 Feb 04	Denmark
120	082	KAFKAS, ABOULLAH D	27 Feb 04	Russia
121	203	GUMAROV, RAVIL SHAFIYAVICH	27 Feb 04	Russia
122	209	SHARIPOV, ALMASM RABILAVICH	27 Feb 04	Russia
123	211	ODJEV, RUSLAN ANATOLIVICH	27 Feb 04	Russia
124	492	VAHITOV, AIAT NASIMOVICH	27 Feb 04	Russia
125	573	AKHMYAROV, RUSTAM	27 Feb 04	Russia
126	674	ISHMURAT, TIMUR RAVILICH	27 Feb 04	Russia
127	086	RASUL, SHAFIQ	9 Mar 04	United
128	087	OSAL, ASIF	9 Mar 04	United
129	110	AHMED, AHUHEL	9 Mar 04	United
130	490	AL HARITH, JAMAL MALIK	9 Mar 04	United
131	534	BERGOU, TAREK	9 Mar 04	United
132	092	SHAH, SAID MOHAMMED ALIM	14 Mar 04	Afghanistan
133	104	ACHEZKAI, HAJI MOHAMMED KHAN	14 Mar 04	Afghanistan
134	116	ABULWANCE, YAMAYOLAH	14 Mar 04	Afghanistan
135	348	ZUMARRIQUAT, AZIZ KHAN ALI KHAN	14 Mar 04	Afghanistan
136	351	GHOFOOR, ABDULLAH	14 Mar 04	Afghanistan
137	368	KHAN, HAZRAT SANGIN	14 Mar 04	Afghanistan
138	453	NASIM, MOHAMMAD	14 Mar 04	Afghanistan
139	454	ADAM, MOHAMMED SADIQ	14 Mar 04	Afghanistan
140	456	HAMIDULLAH, FNU	14 Mar 04	Afghanistan



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Order	Short ISN	Reference Name	Release or Transfer Date	Nationality	
121	515	HASO, ISRAR	14 Mar 04	Pakistan	
122	525	ADAM GUL, AFAULLAH	14 Mar 04	Afghanistan	
123	536	ALIKOZI, AMANULLAH	14 Mar 04	Afghanistan	
124	542	ABAS, MOHAMMAD	14 Mar 04	Pakistan	
125	834	MOHAMMED ALI	14 Mar 04	Pakistan	
126	839	BISMILLAH 2, FNU	14 Mar 04	Afghanistan	
127	868	ANDARR, ABDUL AL-HAMEED MOHAMMED	14 Mar 04	Afghanistan	
128	818	KHAN, OSMAN	14 Mar 04	Afghanistan	
128	822	ASLAM, NOOR	14 Mar 04	Afghanistan	
130	856	BARAK, FNU	14 Mar 04	Afghanistan	
131	896	FAR HUDDINE, BAR	14 Mar 04	Afghanistan	
132	897	RAHIM, ABDOUL	14 Mar 04	Afghanistan	
133	888	SHAH, ZAKIM	14 Mar 04	Afghanistan	
134	908	MUHAMMED, PETA	14 Mar 04	Afghanistan	
135	969	MOHAMMAD, AKHTAR 2	14 Mar 04	Afghanistan	
136	986	WAZIR, HALI MOHAMMED	14 Mar 04	Afghanistan	
137	990	HASAN, MIRWAIS	14 Mar 04	Afghanistan	
138	500	TURKASH, EMDASH ABDULLAH	31 Mar 04	Turkmenistan	
139	543	MARY, MAHMOUD NURI	31 Mar 04	Turkey	
140	563	MOHAMMED, SOHAB MAHMOUD	31 Mar 04	Iraq	
141	623	BAMARI, BAKHTIAR	31 Mar 04	Iran	
142	648	AL TAMIMI, HAYDAR JABBAR HAFEZ	31 Mar 04	Iraq	
143	665	LVU, SADEE EDOEV	31 Mar 04	Tajikistan	
144	700	MAHJUB, MUHAMMED AL GHAZALI BABAKER	31 Mar 04	Sudan	
145	714	RAHEEM, AL RACHID HASAN AHMAD ABDUL	31 Mar 04	Sudan	
146	715	HUSSEIN, ABDUL QADIR YOUSEF	31 Mar 04	West Bank	
147	726	AL HENALI, MENHAJ	31 Mar 04	Syria	
148	729	HOMARO, MOYBALLAH	31 Mar 04	Tajikistan	
149	731	MAZHARUDIN, FNU	31 Mar 04	Tajikistan	
150	732	GHAFAR MOHAMMADOVICH, SHIRINOV	31 Mar 04	Tajikistan	
151	1014	SHAHR, WALID MOHAMMED	31 Mar 04	Yemen	
152	1018	AHMAD, OSAM ABDUL RAHAN	31 Mar 04	Jordan	
153	186	GHEZALI, MEHDI MOHAMMAD	8 Jul 04	Sweden	
154	383	NABIED, YUSEF	17 Jul 04	Tajikistan	
155	641	IRGASHIVE, ABDUL KARIM	17 Jul 04	Tajikistan	
156	161	BENGHEI LALI, MOURAD	26 Jul 04	France	
157	164	ACHAB KANGOUNI, IMAD	26 Jul 04	France	
158	325	SASSI, NIZAR	26 Jul 04	France	
159	371	YADEL, BRAHIM	26 Jul 04	France	
160	133	ANWAR, MOHAMMED IBRAHIM	31 Jul 04	Morocco	
161	284	MIZOUZ, MOHAMMED	31 Jul 04	Morocco	
162	499	AL SHAKOURI, RADWAN	31 Jul 04	Morocco	
163	587	SHAKARAN, IBRAHIM BIN	31 Jul 04	Morocco	
164	010	SATTAR, ABDUL	17 Sep 04	Pakistan	
165	011	NAFEESI, ABDUL SATAR	17 Sep 04	Pakistan	
166	014	IOBAL, ZAFAR	17 Sep 04	Pakistan	
167	017	KHAN, MUHAMMED IJAZ	17 Sep 04	Pakistan	
168	018	SAEED, MOHAMMED	17 Sep 04	Pakistan	
169	023	KHAN, ISA	17 Sep 04	Pakistan	
170	068	SAEED, HAFIZ INHSAN	17 Sep 04	Pakistan	
171	100	ASHRAF, MOHAMMED	17 Sep 04	Pakistan	
172	101	IRFAN, MOHAMMED	17 Sep 04	Pakistan	
173	113	AHMED, SAR FARAZ	17 Sep 04	Pakistan	
174	137	TARIQ, MOHAMMED	17 Sep 04	Pakistan	
175	138	AYUB, SALAMUDDIN	17 Sep 04	Pakistan	
176	140	ALI, SAID SAIM	17 Sep 04	Pakistan	
177	141	AYUB, HASEEB	17 Sep 04	Pakistan	
178	142	FAZALDAD, FNU	17 Sep 04	Pakistan	
179	144	LYAS, MOHAMMAD	17 Sep 04	Pakistan	
180	145	KHAN, HAMOOD ULLAH	17 Sep 04	Pakistan	

CONSOLIDATED CHRONOLOGICAL LISTING OF GTMO DETAINEES RELEASED, TRANSFERRED OR DECEASED

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Order	IRN	Reference Name	Release or Transfer Date	Nationality
181	147	RAZA, MOHAMMED ARSHAD	17 Sep 04	Pakistan
182	247	RYATELLAH, KAY	17 Sep 04	Pakistan
183	299	RAZA, ARID	17 Sep 04	Pakistan
184	300	SULTAN, ZAHID	17 Sep 04	Pakistan
185	301	HAFEEZ, KHAILIL RAHMAN	17 Sep 04	Pakistan
186	302	LIJAZ, MOHAMMED	17 Sep 04	Pakistan
187	305	MOHAMMED, HANIF	17 Sep 04	Pakistan
188	495	RAFIQ, MOHAMMED	17 Sep 04	Pakistan
189	524	AMIN, AMINULLA	17 Sep 04	Pakistan
190	524	ANWAR, MOHAMMED	17 Sep 04	Pakistan
191	529	KHAN, BACHA	17 Sep 04	Pakistan
192	540	OMAR, MOHAMMED	17 Sep 04	Pakistan
193	541	NOUMAN, MOHAMMED	17 Sep 04	Pakistan
194	842	AHMAD, SULTAN	17 Sep 04	Pakistan
195	843	AHMED, SAGHIR	17 Sep 04	Pakistan
196	1006	AHMAD, BASHIR	17 Sep 04	Pakistan
197	1008	ISFAN, MOHAMMED	17 Sep 04	Pakistan
198	1011	AKBAR, MOHAMMED	17 Sep 04	Pakistan
199	827	DAQUD, MOHAMMAN	18 Sep 04	Alghanistan
200	530	GUL, DAWID	18 Sep 04	Alghanistan
201	539	ALLAH, NOOR	18 Sep 04	Alghanistan
202	547	MOHAMMED, WALI	18 Sep 04	Alghanistan
203	558	SADR, SADRUZZAN	18 Sep 04	Alghanistan
204	899	FARHAD, DIN MOHAMMED	18 Sep 04	Alghanistan
205	910	KHAN, MOHAMMED	18 Sep 04	Alghanistan
206	911	SAMAD, ABDUL	18 Sep 04	Alghanistan
207	931	KUCHI, HAJI NIAM	18 Sep 04	Alghanistan
208	980	BISMAULLAH, FNU 2	18 Sep 04	Alghanistan
209	970	LNJ, AMANULLAH	18 Sep 04	Alghanistan
210	205	AMIRI, NASSER NAJRI	18 Jan 05	Kuwait
211	022	ABASSI, FEROZ ALI	25 Jan 05	United Kingdom
212	558	BEGG, MOAZZAN	25 Jan 05	United Kingdom
213	817	BELMAR, RICHARD DEAN	25 Jan 05	United Kingdom
214	10007	MURRAY, MARTIN	25 Jan 05	United Kingdom
215	661	HABIB, MAMDOUH IBRAHIM AHMED	27 Jan 05	Australia
216	173	KHAL, D, RIDOUANE	7 Mar 05	France
217	236	MUSTAFA, KHALED BEN	7 Mar 05	France
218	849	PATEL, MUSTAQ ALI	7 Mar 05	France
219	581	REHMAN, MQLLAH SHED ABDUL	11 Mar 05	Pakistan
220	730	FAUZEE, IBRAHIM	11 Mar 05	Maldives
221	1117	LJAL, MULLAH	11 Mar 05	Alghanistan
222	298	UYAR, SALIH	18 Apr 05	Turkey
223	357	RAHMAN, ABDUL 4	18 Apr 05	Alghanistan
224	457	GUL, MOHAMMAD	18 Apr 05	Alghanistan
225	456	ZAMANI, GUL	18 Apr 05	Alghanistan
226	561	MUSLIMDOST, ABDUL RAHIM	18 Apr 05	Alghanistan
227	631	WAZIR, PADSHA	18 Apr 05	Alghanistan
228	812	SHAH, QALANDAR	18 Apr 05	Alghanistan
229	834	SHARHEEN, NAQEEBYLLAH SHAHWALI	18 Apr 05	Alghanistan
230	835	MOHAMMED, RASOOL SHAHWALI ZAIR	18 Apr 05	Alghanistan
231	829	QUDUS, ABDUL	18 Apr 05	Alghanistan
232	852	SHAHZADA, HAJI	18 Apr 05	Alghanistan
233	853	HAMMIDDULLAH, (FNU)	18 Apr 05	Alghanistan
234	858	NASIM, MOHAMMED 3	18 Apr 05	Alghanistan
235	866	KANDAHARI, KAKO	18 Apr 05	Alghanistan
236	1013	AHMED, FEZA	18 Apr 05	Alghanistan
237	1019	(LNU), NASIBULLAH	18 Apr 05	Alghanistan
238	1041	NOOR, HABIB	18 Apr 05	Alghanistan
239	1157	MUKLIRRA, KHAN	18 Apr 05	Alghanistan
240	270	ZEMMOR, MOISA ZI	25 Apr 05	Belgium

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241	296	SEN, MESUT	23 Apr 05	Belgium
242	072	IKASSIRIN, LAACIN	16 Jul 05	Morocco
243	120	RASOOL, HABIB	10 Jul 05	Afghanistan
244	155	AL-HUBAYSHI, KHALID SULAYMAN JAYDH	19 Jul 05	Saudi Arabia
245	207	AL-HABIRI, MISHAL AWAD SAYAF	19 Jul 05	Saudi Arabia
246	248	AL OSHAN, SALEH ABDALL	19 Jul 05	Saudi Arabia
247	528	MURIBULLAH, (FNU)	18 Jul 05	Afghanistan
248	589	ABDUL WAHAB AL ASMR, KHALID	18 Jul 05	Jordan
249	713	QADOLAH, HANMAD ALI AMNO	16 Jul 05	Sudan
250	208	SALEHOVE, MARCOF SALEEMOVICH	19 Aug 05	Tajikistan
251	588	KHAMSAN, KARAM KHAMIS SAYD	19 Aug 05	Yemen
252	878	KURO, MOHAMMED ARWAR	19 Aug 05	Iran
253	326	ZASEF, ABDUL SALAM	11 Sep 05	Afghanistan
254	287	ALLATHY, SAMI ABDUL AZIZ SALIM	30 Sep 05	Egypt
255	217	AL SHAMMERI, ABD AL AZIZ SAYER UWAIN	2 Nov 05	Kuwait
256	230	AL AJMI, ABDULLAH SAHEM ALI	2 Nov 05	Kuwait
257	229	AL DAHANI, MOHAMMED FENATEL MOHAMED	2 Nov 05	Kuwait
258	568	AL ZAMEL, ADEL ZAMEL ABD AL MAHSEN	2 Nov 05	Kuwait
259	571	AL AZMI, SA AD MADHI SA AD HOWASH	2 Nov 05	Kuwait
260	060	AL WAD, ADIL KAMIL ABDULLAH	4 Nov 05	Bahrain
261	159	AL NOAIMI, ABDULLAH	4 Nov 05	Bahrain
262	181	(LNU), MAJI AFAS RADHI AL SHIMRI	4 Nov 05	Saudi Arabia
263	248	AL KHALIFA, SHEIKH SALMAN EBRAHIM MOHAMED ALI	4 Nov 05	Bahrain
264	075	LAHASSHI, NAJEB	7 Feb 06	Morocco
265	123	HASSAN, MUHAMMAD HUSSEIN ALI	7 Feb 06	Morocco
266	237	SOULEIMANI LAALAMI MOHAMMED	7 Feb 06	Morocco
267	701	KYEMBA, JAMAL ABDULLAH	7 Feb 06	Uganda
268	460	ZAMAN, KHAN	8 Feb 06	Afghanistan
269	855	DAD, KHUDAI	8 Feb 06	Afghanistan
270	828	SALAM, ABDUL	8 Feb 06	Afghanistan
271	950	KHAN, ABDULLAH	8 Feb 06	Afghanistan
272	963	BAGI, ABDUL	8 Feb 06	Afghanistan
273	871	VAR, KUSHKY	8 Feb 06	Afghanistan
274	1051	SHARBAT, (FNU)	8 Feb 06	Afghanistan
275	260	ADIL, AHMAN	5 May 06	China
276	276	MUHAMMED, AKHADAR GASEM BASIT	5 May 06	China
277	279	AYUB, HAJI MOHAMMED	5 May 06	China
278	283	GASIM, ABU BAKR	5 May 06	China
279	293	HEMIM, ABDUL ADEL	5 May 06	China
280	064	SEBAI, ABDEL HADI MOHAMMED BADAN AL SEBAI	18 May 06	Saudi Arabia
281	084	AL SEHAI, IBRAHIM OPI ALIYAH YEMAN	18 May 06	Saudi Arabia
282	095	AHMED, ABDUL RAHMAN UTHMAN	18 May 06	Saudi Arabia
283	105	ALI, ADNAN MOHAMMED	18 May 06	Saudi Arabia
284	157	AL MALIKI, SAID FARHAM	18 May 06	Saudi Arabia
285	177	AL TUTAYLI, FAHD SALIH SULAYMAN	18 May 06	Saudi Arabia
286	308	AL NASR, ALD	18 May 06	Saudi Arabia
287	319	SIBAYYI, MOHAMMAD JAYID	18 May 06	Saudi Arabia
288	339	AL MORGHI, KHALID ABDALLAH ABDEL RAHMAN	18 May 06	Saudi Arabia
289	343	AL RUSHAYDAN, ABDALLAH IBRAHIM	18 May 06	Saudi Arabia
290	346	SHAYBAN, SAID BEZAN ASHEK	18 May 06	Saudi Arabia
291	801	AL OTABI, NAWAF FAHAD	18 May 06	Saudi Arabia
292	505	AL MURI, KHALID RASHID ALI	18 May 06	Saudi Arabia
293	652	AL QAHTANI, ABDULLAH HAMID	18 May 06	Saudi Arabia
294	664	UWAYDAH, RASHID AWAD RASHID AL	18 May 06	Saudi Arabia
295	093	AL ZAHIRANI, YASSER TALAL	10 Jun 06	Saudi Arabia
296	586	AL TABI, MANA SHAMAN ALLABARDI	10 Jun 06	Saudi Arabia
297	693	AHMED, ALI ABDULLAH	10 Jun 06	Yemen
298	058	AL WAHAB, MUSA ABEO	24 Jun 06	Saudi Arabia
299	073	MUR, YUSUF KHALIL ABDALLAH	24 Jun 06	Saudi Arabia
300	098	ATABY, MOHAMMED	24 Jun 06	Saudi Arabia

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Order	ISAN	Short	Reference Name	Released or Transferred	Date	Nationality
301	132		GHEITAN, ABDUL		24 Jun 06	Saudi Arabia
302	184		BAVAIDA, ALI AHMAD SALIH BAWAIDA		24 Jun 06	Saudi Arabia
303	191		AL KHATAMI, SALEH		24 Jun 06	Saudi Arabia
304	264		AL BADDAH, ABDOUL AZIZ ABDUL RAHMAN ABDOUL AZIZ		24 Jun 06	Saudi Arabia
305	265		AL HARBI, TARIQ SHALLAH HASSAN		24 Jun 06	Saudi Arabia
306	266		AL GHANMI, ABDOUL KHAMMED		24 Jun 06	Saudi Arabia
307	271		AL NASIR, IBRAHIM MUHAMMED IBRAHIM		24 Jun 06	Saudi Arabia
308	337		AL BIDNA, SA AD IBRAHAM SA AD		24 Jun 06	Saudi Arabia
309	338		WASMI		24 Jun 06	Saudi Arabia
310	344		QAID, RASHID ABDO AL MUSLIM QAID AL		24 Jun 06	Saudi Arabia
311	491		TURKISTANI, SADIK AHMAD		24 Jun 06	Saudi Arabia
312	261		KARNAZ, MURAT		28 Aug 06	Turkey
313	494		NOZOL, ALI HURRAHMA		28 Aug 06	Afghanistan
314	562		PEERZAI, QARI HASAN ULLA		28 Aug 06	Afghanistan
315	845		MOHAMMED, AKHTAR		28 Aug 06	Afghanistan
316	1006		KHAN, HAJI NASRAT		28 Aug 06	Afghanistan
317	1098		MOHAMMED, SAID		28 Aug 06	Afghanistan
318	965		AMIN, OMAR RAJAB		14 Sep 06	Kuwait
319	228		KAMEL, ABDULLAH KAMEL ABUDALLAH		14 Sep 06	Kuwait
320	215		SHA, ZIA		11 Oct 06	Pakistan
321	160		BEN MOULAN, MUHAMMAD		11 Oct 06	Morocco
322	227		AL BALUSHI, SALAH ABDUL RASUL ALI ABDUL RAHMAN		11 Oct 06	Bahrain
323	458		HABIB, SURAJDIN		11 Oct 06	Afghanistan
324	555		MUHAMMED, ABDUL MALJID		11 Oct 06	Iran
325	591		HASHMATULLA, KHARI		11 Oct 06	Afghanistan
326	783		ULLAH, SHAMS		11 Oct 06	Afghanistan
327	831		KADIR, KHADAN		11 Oct 06	Afghanistan
328	840		NASIM, MOHAMMED		11 Oct 06	Afghanistan
329	902		MOHAMMED, TAJ		11 Oct 06	Afghanistan
330	907		ULLAH, HABIB		11 Oct 06	Afghanistan
331	926		KHAN, MOHAREY		11 Oct 06	Afghanistan
332	914		KHAN, SHARDAR		11 Oct 06	Afghanistan
333	919		FAZULLAH, FNU		11 Oct 06	Afghanistan
334	833		KHAN, SWAR		11 Oct 06	Afghanistan
335	948		KHAN, ANWAR		11 Oct 06	Afghanistan
336	1007		SADIQ, ABDUL HALIM		11 Oct 06	Pakistan
337	1035		JAN, SADA		11 Oct 06	Afghanistan
338	1074		AMAN, MOHAMMED		11 Oct 06	Afghanistan
339	1075		KAKAI, FNU		11 Oct 06	Afghanistan
340	1154		SHAYED, MOHAMMED ALI SHAH		11 Oct 06	Afghanistan
341	872		HASIM, ZAKIRJAN		11 Nov 06	Russia
342	716		SALIM, ALI AH MUHAMMED		17 Nov 06	Egypt
343	718		BOUCETTA, FETHI		17 Nov 06	Algeria
344	055		AL ZAYLEV, MOHAMMED YAHIA MOSIN		13 Dec 06	Saudi Arabia
345	057		AL HARBI, SALIM SULIMAN		13 Dec 06	Saudi Arabia
346	109		AL RABIESH, YUSEF ABDULLAH SALEH		13 Dec 06	Saudi Arabia
347	121		MOHAMMED, SALMAN SAAD AL KHADI		13 Dec 06	Saudi Arabia
348	188		AL FAYE, JABIR JUBRAN		13 Dec 06	Saudi Arabia
349	192		TRAYESH, IBRAHIM SUU AYMAN MUHAMMAD		13 Dec 06	Saudi Arabia
350	206		ABDEL AZIZ, ABDULLAH MUHAMMED		13 Dec 06	Saudi Arabia
351	226		AL NUJR, ANWAR HAMDAN MUHAMMED		13 Dec 06	Saudi Arabia
352	245		AL BALUSHI, SALAH ABDUL RASUL ALI ABDUL		13 Dec 06	Saudi Arabia
353	273		AL NASIR, ABD AL AZIZ MUHAMMAD IBRAHIM		13 Dec 06	Saudi Arabia
354	286		AL JAHDALI, ZIYAD SA'D FARAJ		13 Dec 06	Saudi Arabia
355	336		AL FRIH, MAJED HAMAQ		13 Dec 06	Saudi Arabia
356	340		AL DOUBAYKHI, BASSAM		13 Dec 06	Saudi Arabia
357	341		AL FARHA, SAID ALI		13 Dec 06	Saudi Arabia
358	507		SARI, SULTAN AL ANZI		13 Dec 06	Saudi Arabia
359	513		KHOWLAN, ABDUL RAHMAN MOHAMMED HUSSEIN		13 Dec 06	Saudi Arabia
360	084		ULKHAM, BATAYEV YURDYAVICH		15 Dec 06	Uzbekistan

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361	118	RAHMAN, ABDUL	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
362	129	AL-MARWAI, TOUFIG SABER MUHAMMAD	15 Dec 06	Yemen	(b)(2)	(b)(2)
363	151	HASHEM, MUBARAK HUSSAIN BIN ABUL	15 Dec 06	Bangladesh	(b)(2)	(b)(2)
364	162	AL-TAYS, ALI HUSAYN ABDULLAH	15 Dec 06	Yemen	(b)(2)	(b)(2)
365	183	AL-JAYFI, ISSAM HAMID AL BIN ALI	15 Dec 06	Yemen	(b)(2)	(b)(2)
366	193	MOBIL, MUHSIN MUHAMMAD MUSHEEN	15 Dec 06	Yemen	(b)(2)	(b)(2)
367	194	MUHAMMAD ABD ALLAH MANSUR AL FUTURI	15 Dec 06	Libya	(b)(2)	(b)(2)
368	198	AL-ASADI, MOHAMMED AHMED ALI	15 Dec 06	Yemen	(b)(2)	(b)(2)
369	503	AL ZUBA, SALEH MOHAMMED	15 Dec 06	Yemen	(b)(2)	(b)(2)
370	526	ABAHANOV, YAKUB	15 Dec 06	Kazakhstan	(b)(2)	(b)(2)
371	528	MAKRUBOV, ABDULLAH TOHTASINOVICH	15 Dec 06	Kazakhstan	(b)(2)	(b)(2)
372	949	ZAFOR, ABDUL	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
373	964	RAHMATULLAH, (FNU)	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
374	965	(LNU), HARIZULLAH	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
375	966	(LNU), BARIQAD	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
376	972	MOHAMMED, ALIF	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
377	1038	MOHAMMAD, AKHTIAR	15 Dec 06	Alghanistan	(b)(2)	(b)(2)
378	025	ABDULLAH, NAJFED	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
379	158	AL-HARBI, MAJID ABDALLAH HUSAYN MUHAMMAD AL, SAMLULI	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
380	176	AL QURAYSHI, MAJID AYDHA MUHAMMAD	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
381	186	BILKHAYR, RASHID AWAD KHALIAF	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
382	437	AL NASIR, FAISAL SATTIA	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
383	497	ASUBAY, YASIR MAZYAD ABDALLAH AL QURAYSHI AL	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
384	536	AHMED, MOHAMMED ABDULLAH	20 Feb 07	Saudi Arabia	(b)(2)	(b)(2)
385	078	SHARPOV, RUHMEDIN FAYZIDDINOVICH	28-Feb-07	Tajikistan	(b)(2)	(b)(2)
386	077	FAZROLLAH, MEHRABANB	28-Feb-07	Tajikistan	(b)(2)	(b)(2)
387	090	VOHHEDOV, TSABIT	28-Feb-07	Tajikistan	(b)(2)	(b)(2)
388	987	G'HALIB, HAJI	28-Feb-07	Alghanistan	(b)(2)	(b)(2)
389	1037	GUL, NASSER	28-Feb-07	Alghanistan	(b)(2)	(b)(2)
390	908	AL-RAWI, BISHER	30-Mar-07	Iraq	(b)(2)	(b)(2)
391	590	RACHIDI, MOHAMAD AL AHMED	24-Apr-07	Morocco	(b)(2)	(b)(2)
392	1050	LNU, AZIMULLAH	24-Apr-07	Alghanistan	(b)(2)	(b)(2)
393	002	HICKS, DAVID M	16-May-07	Australia	(b)(2)	(b)(2)
394	189	AL JUMARI, JABD-AL-RAHMAN, MAYATH THAFIR	3-Jun-07	Saudi Arabia	Suicide	(b)(2)
395	860	LAGHA, LUFTI BIN SWEI	17-Jun-07	Tunisia	(b)(2)	(b)(2)
396	721	OMAR, ABDULLAH BIN	17-Jun-07	Tunisia	(b)(2)	(b)(2)
397	089	ISMAIL, SADEQ MUHAMMAD SA ID	18-Jun-07	Yemen	(b)(2)	(b)(2)
398	221	SALIH, ALI MOHSEN	18-Jun-07	Yemen	(b)(2)	(b)(2)
399	225	AL SHUJLAN, HANI ABDUL MUSLIH	18-Jun-07	Yemen	(b)(2)	(b)(2)
400	878	MAHDI, FAWAZ NAMAN HAMOUD ABDULLAH	18-Jun-07	Yemen	(b)(2)	(b)(2)
401	013	MOHAMMED, FAHED N	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
402	053	DAKHIL, ALLAH, SAID D	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
403	062	AL JUHANI, MOHAMMED N	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
404	066	AL SULAMI, YAHYA S	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
405	122	AL ATAYI, BILAD D	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
406	154	AL-AWFI, MAZIN SALIH MUSAYD	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
407	179	AL-JUAYD, ABD AL-RAHMAN JUWAYYIDH	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
408	182	AL-JABRI, BANDAR AHMAD MUBARAK	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
409	254	AL-ZAHIRANI, SADI (BRAHMI) RAKI	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
410	214	AL KURASH, MUHAMMAD ABD AL RAHMAN	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
411	230	HAMUD, HAMUD DAKHIL	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
412	234	AL ZAHIRANI, KHALID MOHAMMED	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
413	261	AL DOSSARI, JUWA MUHAMMAD ABD AL LATIF	15 Jul 07	Bahrain	(b)(2)	(b)(2)
414	332	AL ATAYBI, BENDAR A	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
415	370	AL-HIZANI, ABD	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
416	518	AL HARBII, RAMAN ABDUL RAHMAN GHANIM	15 Jul 07	Saudi Arabia	(b)(2)	(b)(2)
417	52	AL MURBATI, ISSA A	7-Aug-07	Bahrain	(b)(2)	(b)(2)
418	532	SHARIF, MOHAMMED	7-Aug-07	Alghanistan	(b)(2)	(b)(2)
419	848	ULLAH, AMIN	7-Aug-07	Alghanistan	(b)(2)	(b)(2)
420	943	ABDUL, GHANI	7-Aug-07	Alghanistan	(b)(2)	(b)(2)

CONSOLIDATED CHRONOLOGICAL LISTING OF GTMO DETAINEES RELEASED, TRANSFERRED OR DECEASED

Last Update:

9 Oct 08 at 1200

(b)(2)

(b)(2)

Order	Ref ID	Reference Name	Release or Transfer Date	Nationality
421	1004	YACOUB, MOHAMMED	7-Aug-07	Afghanistan
422	1043	RAZAN, ABDUL	7-Aug-07	Afghanistan
423	51	AL BARAYAN, MAJID	5-Sep-07	Saudi Arabia
424	67	RAZAO, ABDULLAH R	5-Sep-07	Saudi Arabia
425	79	RAZAO, ASH, FAHED A	5-Sep-07	Saudi Arabia
426	112	MOHAMMED, ABDUL A	5-Sep-07	Saudi Arabia
427	126	SAID, SALAM A	5-Sep-07	Saudi Arabia
428	196	AL AMRI, MUSA	5-Sep-07	Saudi Arabia
429	218	AL FOUZAN, FAHED	5-Sep-07	Saudi Arabia
430	231	AL SHARAKH, ABDULHADI ABDALLAH IBRAHIM	5-Sep-07	Saudi Arabia
431	274	AL-SUMAYRI, BADR AWAD BAKRI	5-Sep-07	Saudi Arabia
432	318	BIN SAAD, RAMI	5-Sep-07	Saudi Arabia
433	322	AL BARAKAT, KHALID HASSAN HUSAYN	5-Sep-07	Saudi Arabia
434	342	AL QURBI, MOHAMMED	5-Sep-07	Saudi Arabia
435	368	HAKIM, BIN ABDUL AGA	5-Sep-07	Saudi Arabia
436	493	BUKHARY, ABDUL	5-Sep-07	Saudi Arabia
437	514	AL ANZY, ABDULLAH T	5-Sep-07	Saudi Arabia
438	647	ACHAMRI, ZEBEN THAHIR	5-Sep-07	Saudi Arabia
439	708	EDAH, ABDULLAH W	26-Sep-07	Mauritania
440	172	MUHAMMED, ALI MUHAMMED NASIR	26-Sep-07	Yemen
441	557	HAMMOUDA, ABU SUFIAN IBRAHIM AHMED	26-Sep-07	Libya
442	821	SABAR, LAL	26-Sep-07	Afghanistan
443	941	DIN, JUMA	26-Sep-07	Afghanistan
444	945	SAID AMIR, JAN	26-Sep-07	Afghanistan
445	951	NASIR, ALLAH	26-Sep-07	Afghanistan
446	956	AHMAD, ABDUL	26-Sep-07	Afghanistan
447	974	BULLAR, MOHI	26-Sep-07	Afghanistan
448	498	RAHMAN, FIZAULLA	2-Nov-07	Afghanistan
449	651	ABU-KABIR, OSAMA HASSAN AHMED	2-Nov-07	Jordan
450	662	SULEYMAN, AHMED HASSAN	2-Nov-07	Jordan
451	670	ALLAHOOD, ABDULLAH HEKMAT	2-Nov-07	Afghanistan
452	761	MAHDY, IBRAHIM	2-Nov-07	Libya
453	874	NASIR, ABDUL	2-Nov-07	Afghanistan
454	925	QUSAYM, MOHAMMED	2-Nov-07	Afghanistan
455	967	LNJ, NARIRULLAH	2-Nov-07	Afghanistan
456	877	NASRAT YAR, HIZTULLAH	2-Nov-07	Afghanistan
457	1003	AHMED, SHABIR	2-Nov-07	Afghanistan
458	1010	SHAH, NABIR	2-Nov-07	Afghanistan
459	050	AL HUSSAIN, ZAYED M.	9-Nov-07	Jordan
460	059	AL UWAYDHA, SULTAN A	9-Nov-07	Saudi Arabia
461	068	AL BAYARZI, KHALID S	9-Nov-07	Saudi Arabia
462	114	MODARAY, YUSEF M	9-Nov-07	Saudi Arabia
463	130	SULTAN, FAHA	9-Nov-07	Saudi Arabia
464	185	AL J-AMRI, TURKI MISHAW, ZAYED	9-Nov-07	Saudi Arabia
465	187	MAKRAM, MURTADIA AL SAID	9-Nov-07	Saudi Arabia
466	215	AL-SHARIF, FAHD UMR ABD AL-MAJID	9-Nov-07	Saudi Arabia
467	258	AL NUKHAYLAN, NAYIF A	9-Nov-07	Saudi Arabia
468	262	AL WAFI, ABDULLAH ADB AL MUTN	9-Nov-07	Saudi Arabia
469	333	ATTIK AL HARBI, MUHAMAD	9-Nov-07	Saudi Arabia
470	372	SHARI, SAID ALI	9-Nov-07	Saudi Arabia
471	438	AL HALA, ALD MOHAMMAD	9-Nov-07	Saudi Arabia
472	650	AL-QAHTANI, JABIR HASSAN	9-Nov-07	Saudi Arabia
473	003	RUHANI, GHOLAM	12-Dec-07	Afghanistan
474	028	ABDULLAH, MULLAH Y	12-Dec-07	Afghanistan
475	108	ALIZA, ABDUL RAUF	12-Dec-07	Afghanistan
476	222	AL-KUNDUZI, UMAR ABDULLAH	12-Dec-07	Afghanistan
477	923	RAZZAQ, ABDUL	12-Dec-07	Afghanistan
478	924	GHAFOUR, ABDUL	12-Dec-07	Afghanistan
479	976	WAZIR, ABDULLAH	12-Dec-07	Afghanistan
480	1001	SHABAZ KHAUL, HAFIZULLAH	12-Dec-07	Afghanistan

CONSOLIDATED CHRONOLOGICAL LISTING OF GTMO DETAINEES RELEASED, TRANSFERRED OR DECEASED

Last Update:

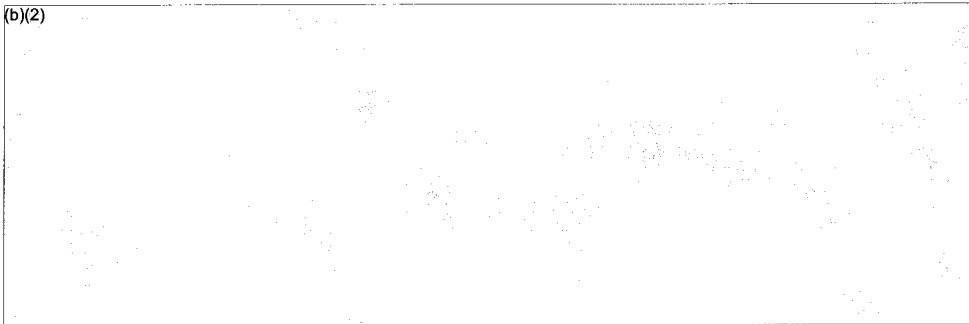
9 Oct 08 at 1200

(b)(2)

(b)(2)

Order	Biorid ISN	Reference Name	Release Date	Nationality	
481	1002	MATEEN, ABDUL	12-Dec-07	Alghanistan	
482	1012	TUKKH, BARYALAI AMINULLAH	12-Dec-07	Alghanistan	
483	1021	CHAMAN, FNU	12-Dec-07	Alghanistan	
484	1032	GHAFAAR, ABDUL	12-Dec-07	Alghanistan	
485	1100	MUJAHID, ABDULLAH	12-Dec-07	Alghanistan	
486	710	AH AMIR, BENNY	12-Dec-07	Sudan	
487	840	ADEL HUSSEIN, HASSAN	12-Dec-07	Sudan	
488	905	ELBANNA, ABDUL LATIF	19-Dec-07	Jordan	
489	727	DEGHAYS, OMAR A	19-Dec-07	Libya	
490	059	SAMEUR, ABDEKOUR	19-Dec-07	Algeria	
491	253	AL ANSARI, FARIS MUSLIM	28-Dec-07	Saudi Arabia	
492	005	ALAMATRAFI, ABDULLAH	28-Dec-07	Saudi Arabia	
493	243	AL ATAYBI, BENDAR	28-Dec-07	Saudi Arabia	
494	216	AL-KABI, JAMIL ALI	28-Dec-07	Saudi Arabia	
495	465	ABDUL HAKIM MOUSA	28-Dec-07	Saudi Arabia	
496	074	AL RASHID, MESH ARSAD	28-Dec-07	Saudi Arabia	
497	272	IL B HAWITH, ZIAD	28-Dec-07	Saudi Arabia	
498	430	AL GHATANI, KHALID MALLI SHIA	28-Dec-07	Saudi Arabia	
499	288	AL HATAYBI, ABD AL RAHMAN	28-Dec-07	Saudi Arabia	
500	430	FAHED, NAIF	28-Dec-07	Saudi Arabia	
501	842	RAZZAK, ABDUL	1-Jan-08	Alghanistan	Deceased (b)(2)
502	890	RAHMATULLAH, FNU	30-Apr-08	Alghanistan	(b)(2)
503	889	ESMATULLAH, FNU	30-Apr-08	Alghanistan	
504	886	INASRULLAH, FNU	30-Apr-08	Alghanistan	
505	798	ROHULLAH, MULLAN HAJI	30-Apr-08	Alghanistan	
506	558	ABDULLA, FNU	30-Apr-08	Alghanistan	
507	720	YAKOUB MOHAMMED	30-Apr-08	Sudan	
508	345	AL HAJ SAMI MUHEIDINE MOHAMED	30-Apr-08	Sudan	
509	081	ALI WALID MOHAMMAD HAJ MOHAMMAD	30-Apr-08	Sudan	
510	150	BOUJADIA SAID	30-Apr-08	Morocco	
511	070	HOUARI, ABDUL RAHMM	2-Jul-08	Algeria	
512	705	AHMED, MUSTAFA SO	2-Jul-08	Algeria	
513	048	AL HAMAIRI, ABDULLAH K	26-Jul-08	UAE	
514	334	AL MARI, JARALAH	26-Jul-08	Qatar	
515	1185	YAKUBI, MOHAMMED MUSSA	26-Jul-08	Alghanistan	
516	284	AL QADR, MOHAMMED ABD	25-Aug-08	Algeria	
517	292	PEGHOLL, ABDELLI MUHAMMAD	25-Aug-08	Algeria	
518	261	ABDUL WAHAB	31-Aug-08	Alghanistan	
519	1052	RAHMAN, MAHBUB	31-Aug-08	Alghanistan	
520	743	MADNI, HAFES QARI MOHAMMED SAAD ICBAL	31-Aug-08	Pakistan	
521	939	AMEUR, MAMMAR	8-Oct-08	Algeria	
522	719	IBRAHIM, MUSTAFA	6-Oct-08	Sudan	

(b)(2)



# Exhibit Z



# **REPORT ON GUANTANAMO DETAINEES**

## **A Profile of 517 Detainees through Analysis of Department of Defense Data**

By

Mark Denbeaux

Professor, Seton Hall University School of Law and  
Counsel to two Guantanamo detainees

Joshua Denbeaux, Esq.

Denbeaux & Denbeaux

David Gratz, John Gregorek, Matthew Darby, Shana Edwards,  
Shane Hartman, Daniel Mann and Helen Skinner  
Students, Seton Hall University School of Law

# THE GUANTANAMO DETAINEES: THE GOVERNMENT'S STORY

Professor Mark Denbeaux\* and Joshua Denbeaux\*

*An interim report*

## **EXECUTIVE SUMMARY**

The media and public fascination with who is detained at Guantanamo and why has been fueled in large measure by the refusal of the Government, on the grounds of national security, to provide much information about the individuals and the charges against them. The information available to date has been anecdotal and erratic, drawn largely from interviews with the few detainees who have been released or from statements or court filings by their attorneys in the pending *habeas corpus* proceedings that the Government has not declared “classified.”

This Report is the first effort to provide a more detailed picture of who the Guantanamo detainees are, how they ended up there, and the purported bases for their enemy combatant designation. The data in this Report is based entirely upon the United States Government's own documents.<sup>1</sup> This Report provides a window into the Government's success detaining only those that the President has called “the worst of the worst.”

Among the data revealed by this Report:

1. Fifty-five percent (55%) of the detainees are not determined to have committed any hostile acts against the United States or its coalition allies.
2. Only 8% of the detainees were characterized as al Qaeda fighters. Of the remaining detainees, 40% have no definitive connection with al Qaeda at all and 18% are have no definitive affiliation with either al Qaeda or the Taliban.
3. The Government has detained numerous persons based on mere affiliations with a large number of groups that in fact, are not on the Department of Homeland Security terrorist watchlist. Moreover, the nexus between such a detainee and such organizations varies considerably. Eight percent are detained because they are deemed “fighters for;” 30% considered “members of;” a large majority – 60% -- are detained merely because they are “associated with” a group or groups the Government asserts are terrorist organizations. For 2% of the prisoners their nexus to any terrorist group is unidentified.
4. Only 5% of the detainees were captured by United States forces. 86% of the detainees were arrested by either Pakistan or the Northern Alliance and turned over to United States custody.

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\* The authors are counsel for two detainees in Guantanamo.

<sup>1</sup> See, Combatant Status Review Board Letters, Release date January 2005, February 2005, March 2005, April 2005 and the Final Release available at the Seton Hall Law School library, Newark, NJ.

This 86% of the detainees captured by Pakistan or the Northern Alliance were handed over to the United States at a time in which the United States offered large bounties for capture of suspected enemies.

5. Finally, the population of persons deemed not to be enemy combatants – mostly Uighers – are in fact accused of more serious allegations than a great many persons still deemed to be enemy combatants.

## INTRODUCTION

The United States Government detains over 500 individuals at Guantanamo Bay as so-called “enemy combatants.” In attempting to defend the necessity of the Guantanamo detention camp, the Government has routinely referred this group as “the worst of the worst” of the Government’s enemies.<sup>2</sup> The Government has detained most these individuals for more than four years; only approximately 10 have been charged with any crime related to violations of the laws of war. The rest remain detained based on the Government’s own conclusions, without prospect of a trial or judicial hearing. During these lengthy detentions, the Government has had sufficient time for the Government to conclude whether, in fact, these men were enemy combatants and to document its rationale.

On March 28, 2002, in a Department of Defense briefing, Secretary of Defense Donald Rumsfeld said:

As has been the case in previous wars, the country that takes prisoners generally decides that they would prefer them not to go back to the battlefield. They detain those enemy combatants for the duration of the conflict. They do so for the very simple reason, which I would have thought is obvious, namely to keep them from going right back and, in this case, killing more Americans and conducting more terrorist acts.<sup>3</sup>

The Report concludes, however, that the large majority of detainees never participated in any combat against the United States on a battlefield. Therefore, while setting aside the significant legal and constitutional issues at stake in the Guantanamo litigation presently being considered in the federal courts, this Report merely addresses the factual basis underlying the public representations regarding the status of the Guantanamo detainees.

Part I of this Report describes the sources and limitations of the data analyzed here. Part II describes the “findings” the Government has made. The “findings” in this sense, constitutes the Government’s determination that the individual in question is an enemy combatant, which is in turn based on the Government’s classifications of terrorist groups, the asserted connection of the individual with the purported terrorist groups, as well as the commission of “hostile acts,” if any, that the Government has determined an individual has committed. Part III then examines the evidence, including sources for such evidence, upon which the Government has relied in making these findings. Part IV addresses the continued detention of individuals deemed *not* to be enemy

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<sup>2</sup> The Washington Post, in an article dated October 23, 2002 quoted Secretary Rumsfeld as terming the detainees “the worst of the worst.” In an article dated December 22, 2002, the Post quoted Rear Adm. John D. Stufflebeem, Deputy Director of Operations for the Joint Chiefs of Staff, “They are bad guys. They are the worst of the worst, and if let out on the street, they will go back to the proclivity of trying to kill Americans and others.” Donald Rumsfeld Holds Defense Department Briefing. (2002, March 28). FDCH Political Transcripts. Retrieved January 10, 2006 from Lexis-Nexis database.

<sup>3</sup> Threats and Responses: The Detainees; Some Guantanamo Prisoners Will Be Freed, Rumsfeld Says, (2002, October 23). The New York Times, p 14. Retrieved February 7, 2006 from Lexis-Nexis database.

combatants, comparing the Government's allegations against such persons to similar or more serious allegations against persons still deemed to be "enemy combatants."

## **I. THE DATA**

The data in this Report are based on written determinations the Government has produced for detainees it has designated as enemy combatants.<sup>4</sup> These written determinations were prepared following military hearings commenced in 2004, called Combatant Status Review Tribunals, designed to ascertain whether a detainee should continue to be classified as an "enemy combatant." The data are obviously limited.<sup>5</sup> The data are framed in the Government's terms and therefore are no more precise than the Government's categories permit. Finally, the charges are anonymous in the sense that the summaries upon which this interim report relies are not identified by name or ISN for any of the prisoners. It is therefore not possible at this time to determine which summary applies to which prisoner.

Within these limitations, however, the data are very powerful because they set forth the best case for the status of the individuals the Government has processed. The data reviewed are the documents prepared by the Government containing the evidence upon which the Government relied in making its decision that these detainees were enemy combatants. The Report assumes that the information contained in the CSRT Summaries of Evidence is an accurate description of the evidence relied upon by the Government to conclude that each prisoner is an enemy combatant.

Such summaries were filed by the Government against each individual detainee's in advance of the Combatant Status Review Tribunal (CRST) hearing.

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<sup>4</sup> The files reviewed are available at the Seton Hall Law School library, Newark, NJ.

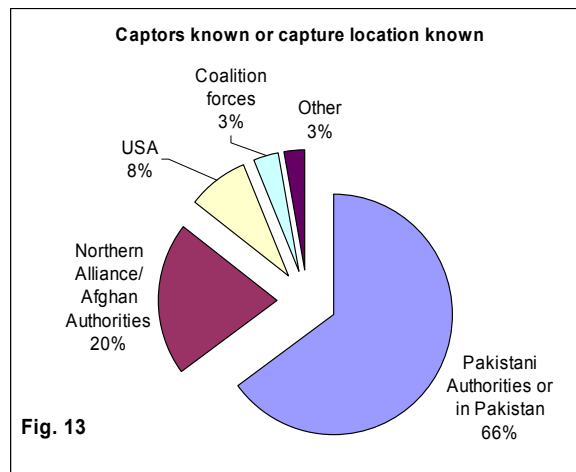
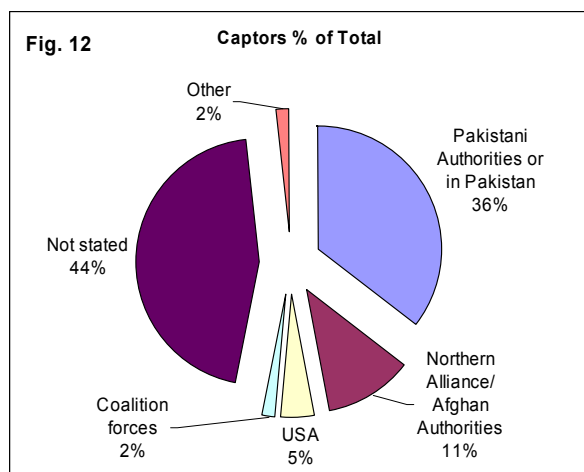
<sup>5</sup> There is other data currently being compiled based on different information. Each prisoner at Guantanamo who has had summaries of evidence filed against them has had an internal administrative evaluation of the charges. The process is that a Combatant Status Review Tribunal, or CSRT, has received the charges and considered them. Some of those enemy detainees who are represented by counsel in pending habeas corpus Federal District Courts have received (when so ordered by the Federal District Court Judge) the classified and declassified portion of the CSRT proceedings. The CSRT proceedings are described as CSRT returns. The declassified portion of those CSRT returns are being reviewed and placed into a companion data base.

### III. THE GOVERNMENT’S EVIDENCE THAT THE DETAINEES ARE ENEMY COMBATANTS

The data permit at least some answers to two questions: How was the evidence of their enemy combatant status obtained? What evidence does the Government have as to the detainees commission of 3(b) violations?

#### A. Sources of Detainees and Reliability of the Information about Them

Figure 12 explains who captured the detainees. Pakistan was the source of at least 36% of all detainees, and the Afghanistan Northern Alliance was the source of at least 11% more. The pervasiveness of Pakistani involvement is made clear in Figure 13 which shows that of the 56% whose captor is identified, 66% of those detainees were captured by Pakistani Authorities or in Pakistan. Thus, if 66% of the unknown 44% were derived from Pakistan, the total captured in Pakistan or by Pakistani Authorities is fully 66%.



Since the Government presumably knows which detainees were captured by United States forces, it is safe to assume that those whose provenance is not known were captured by some third party. The conclusion to be drawn from the Government’s evidence is that 93% of the detainees were not apprehended by the United States.<sup>15</sup> (See Fig. 12) Hopefully, in assessing the enemy combatant status of such detainees, the Government appropriately addressed the reliability of information provided by those turning over detainees although the data provides no assurances that any proper safeguards against mistaken identification existed or were followed.

<sup>15</sup> Presuming a fixed 7% of detainees were captured by US or coalition forces, the remaining detainees whose captor is unknown can be extrapolated to 68% “Pakistani Authorities or in Pakistan”, 21% “Northern Alliance/Afghan Authorities”, and 4% “other.”

The United States promised (and apparently paid) large sums of money for the capture of persons identified as enemy combatants in Afghanistan and Pakistan. One representative flyer, distributed in Afghanistan, states:

Get wealth and power beyond your dreams....You can receive millions of dollars helping the anti-Taliban forces catch al-Qaida and Taliban murders. This is enough money to take care of your family, your village, your tribe for the rest of your life. Pay for livestock and doctors and school books and housing for all your people.<sup>16</sup>

Bounty hunters or reward-seekers handed people over to American or Northern Alliance soldiers in the field, often soon after disappearing;<sup>17</sup> as a result, there was little opportunity on the field to verify the story of an individual who presented the detainee in response to the bounty award. Where that story constitutes the sole basis for an individual's detention in Guantanamo, there would be little ability either for the Government to corroborate or a detainee to refute such an allegation.

As shall be seen in consideration of the Uighers, the Government has found detainees to be enemy combatants based upon the information provided by the bounty hunters. As to the Uighers, at least, there is no doubt that bounties were paid for the capture and detainment of individuals who were not enemy combatants.<sup>18</sup> The Uigher have yet to be released.

The evidence satisfactory to the Government for some of the detainees is formidable. For this group, the Government's evidence portrays a detainee as a powerful, dangerous and knowledgeable man who enjoyed positions of considerable power within the prohibited organizations. The evidence against them is concrete and plausible. The evidence provided for most of the detainees, however, is far less impressive.

The summaries of evidence against a small number of detainees indicate that some of the prisoners played important roles in al Qaeda. This evidence, on its face, seems reliable. For instance, the Government found that 11% of the detainees met with Bin Laden. Other examples include:

- A detainee who is alleged to have driven a rocket launcher to combat against the Northern Alliance.
- A detainee who held a high ranking position in the Taliban and who tortured,

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<sup>16</sup> See *Infra.*, Appendix A.

<sup>17</sup> See, e.g. Mahler, Jonathan, The Bush Administration versus Salim Hamdan (2006, Jan. 8), *New York Times*, p. 44.

<sup>18</sup> White, Josh and Robin Wright. Detainee Cleared for Release Is in Limbo at Guantanamo. (2005, December 15), *Washington Post*, p. A09.

- maimed, and murdered Afghani nationals who were being held in Taliban jails
- A detainee who was present and participated in al Qaeda meetings discussing the September 11<sup>th</sup> attacks before they occurred.
- A detainee who produced al Qaeda propaganda, including the video commemorating the USS Cole attack.
- A detainee who was a senior al Qaeda lieutenant.
- 11 detainees who swore an oath to Osama Bin Laden.

The previous examples are atypical of the CSRT summaries. There are only a very few individuals who are actively engaged in any activities for al Qaeda and for the Taliban.

The 11 detainees who swore an oath to Osama Bin Laden are only a tiny fraction of the total number of the detainees at Guantanamo.

The Taliban is a different story.

The Taliban was a religious state which demanded the most extreme compliance of all of its citizens and as such controlled all aspects of their lives through pervasive Governmental and religious operation.<sup>19</sup> Under Mullah Omar, there were 11 governors and various ministers who dealt with such various issues as permission for journalists to travel, over-seeing the dealings between the Taliban and NGOs for UN aid projects and the like.<sup>20</sup> By 1997, all international “aid projects had to receive clearance not just from the relevant ministry, but also from the ministries of Interior, Public Health, Police, and the Department of the Promotion of Virtue and Prevention of Vice.”<sup>21</sup> There was a Health Minister, Governor of the State Bank, an Attorney General, an Education Minister, and an Anti-Drug Control Force.<sup>22</sup> Each city had a mayor, chief of police, and senior administrators.<sup>23</sup>

None of these individuals are at Guantanamo Bay.

The Taliban detainees seem to be people not responsible for actually running the country. Many of the detainees held at Guantanamo were involved with the Taliban unwillingly as conscripts or otherwise.

General conscription was the rule, not the exception, in Taliban controlled Afghanistan.<sup>24</sup> “All the warlords had used boy soldiers, some as young as 12 years old, and many were orphans with no hope of having a family, or education, or a job, except soldiering.”<sup>25</sup>

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<sup>19</sup> See generally Rashid, A. (2001). *Taliban*. Yale University Press.

<sup>20</sup> See *Id.*, p. 99.

<sup>21</sup> See *Id.*, p. 114.

<sup>22</sup> See generally Rashid, A. (2001). *Taliban*. Yale University Press.

<sup>23</sup> *Id.*

<sup>24</sup> See *Id.*, p100.

<sup>25</sup> See *Id.*, p109.



Just as strong evidence proves much, weak evidence suggests more. Examples of evidence that the Government cited as proof that the detainees were enemy combatants includes the following:

- Associations with unnamed and unidentified individuals and/or organizations;
- Associations with organizations, the members of which would be allowed into the United States by the Department of Homeland Security;
- Possession of rifles;
- Use of a guest house;
- Possession of Casio watches; and
- Wearing of olive drab clothing.

The following is an example of the entire record for a detainee who was conscripted into the Taliban:

- a. Detainee is associated with the Taliban
  - i. The detainee indicates that he was conscripted into the Taliban.
- b. Detainee engaged in hostilities against the US or its coalition partners.
  - i. The detainee admits he was a cook's assistant for Taliban forces in Narim, Afghanistan under the command of Haji Mullah Baki.
  - ii. Detainee fled from Narim to Kabul during the Northern Alliance attack and surrendered to the Northern Alliance.<sup>26</sup>

All declassified information supports the conclusion that this detainee remains at Guantanamo Bay to this date.

Other detainees have been classified as enemy combatants because of their association with unnamed individuals. A typical example of such evidence is the following:

The detainee is associated with forces that are engaged in hostilities against the United States and its coalition partners:

- 1) The detainee voluntarily traveled from Saudi Arabia to Afghanistan in November 2001.
- 2) The detainee traveled and shared hotel rooms with an Afghani.
- 3) The Afghani the detainee traveled with is a member of the Taliban Government.
- 4) The detainee was captured on 10 December 2001 on the

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<sup>26</sup> See CSRT Summary of Evidence available at the Seton Hall Law School library, Newark, NJ.

border of Pakistan and Afghanistan.<sup>27</sup>

Some of these detainees were found to be enemy combatants based on their association with identified organizations which themselves are not proscribed by the Department of Homeland Security from entering the United States. In analyzing the charges against the detainees, the Combatant Status Review Board identified 72 organizations that are used to evidence links between the detainees and al Qaeda or the Taliban.

These 72 organizations were compared to the list of Foreign Terrorist Organizations in the Terrorist Organization Reference Guide of the U.S. Department of Homeland Security, U.S. Customs and Border Protection and the Office of Border Patrol. This Reference Guide was published in January of 2004 which was the same year in which the charges were filed against the detainees.<sup>28</sup> According to the Reference Guide, the purpose of the list is “to provide the Field with a ‘Who’s Who’ in terrorism.”<sup>29</sup> Those 74 foreign terrorist organizations are classified in two groups: 36 “designated foreign terrorist organizations,” as designated by the Secretary of State, and 38 “other terrorist groups,” compiled from other sources.

Comparing the Combatant Status Review Board’s list of 72 organizations that evidence the detainee’s link to al Qaeda and/or the Taliban, only 22% of those organizations are included in the Terrorist Organization Reference Guide. Further, the Reference Guide describes each organization, quantifies its strength, locations or areas of operation, and sources of external aid. Based on these descriptions of the organizations, only 11% of all organizations listed by the Combatant Status Review Board as proof of links to al Qaeda or the Taliban are identified as having any links to Qaeda or the Taliban in the Terrorist Organization Reference Guide.

Only 8% of the organizations identified by the Combatant Status Review Board even target U.S. interests abroad.

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<sup>27</sup> See CSRT Summary of Evidence available at the Seton Hall Law School library, Newark, NJ.

<sup>28</sup> Terrorist Organization Reference Guide. Retrieved February 6, 2006 from <http://www.mipt.org/pdf/TerroristOrganizationReferenceGuide.pdf>

<sup>29</sup> It continues: “The main players and organizations are identified so the CBP [Customs and Border Protection] Officer and BP [Border Protection] Agent can associate what terror groups are from what countries, in order to better screen and identify potential terrorists.” Unlike the many other compilations of terrorist organizations published by the Government since 9/11, including the list of the Office of Foreign Asset Control (OFAC) used to monitor or block international funds transfers to suspected and known terrorist organizations and their supporters, the Terrorist Organization Reference Guide identifies the 74 “main players and organizations” in terrorism.