

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

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	KHAIRKHWAWA, 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

5/15/2006

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

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:
MOHAMMED JAWAD

2. ALIASES OF ACCUSED:
AMIR KHAN, MIR JAN, SAKHEB BADSHA

3. ISN NUMBER OF ACCUSED (LAST FOUR):
0900

II. CHARGES AND SPECIFICATIONS

4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.

SPECIFICATION:

SEE CONTINUATION SHEET, ATTACHED.

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (LAST, FIRST, MI)
TREANOR, JOSEPH V.,

5b. GRADE
O-5

5c. ORGANIZATION OF ACCUSER
OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER

Joseph T. Treanor

5e. DATE (YYYYMMDD)
2007/10/09

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the _____ day of October, 2007, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

DARREL J. VANDEVELD
Typed Name of Officer

OMC-PROSECUTION
Organization of Officer

O-5
Grade

10 U.S.C. 1044(b)
Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)

Wanda Vandave
Signature

[Handwritten mark]

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CHARGE I, Violation of 10 U.S.C. §§ 950t, 950v(b)(15), Attempted Murder in Violation of the Law of War.

Specification 1:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, attempt to commit murder in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Sergeant First Class Michael Lyons, U.S. Army, with the intent to kill said Sergeant First Class Lyons.

Specification 2:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, attempt to commit murder in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Sergeant First Class Christopher Martin, U.S. Army, with the intent to kill said Sergeant First Class Martin.

Specification 3:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, attempt to commit murder in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Assadullah Khan Omerk, a citizen of Afghanistan, then accompanying and employed by U.S. Forces as an interpreter, with the intent to kill said Assadullah Khan Omerk.

CHARGE II: Violation of 10 U.S.C. §950v(b)(13), Intentionally Causing Serious Bodily Injury

Specification 1:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, intentionally cause serious bodily injury in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Sergeant First Class Michael Lyons, U.S. Army.

Specification 2:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, intentionally cause serious bodily injury in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Sergeant First Class Christopher Martin, U.S. Army.

Specification 3:

In that Mohammed Jawad, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in and around Kabul, Afghanistan, on or about December 17, 2002, while in the context of, and associated with, an armed conflict, intentionally cause serious bodily injury in violation of the law of war, by throwing a hand grenade into the passenger compartment of a vehicle transporting U.S. or Coalition Forces, to wit, Assadullah Khan Omerk, a citizen of Afghanistan, then accompanying and employed by U.S. Forces as an interpreter.



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Combatant Status Review Board

TO: Personal Representative

FROM: OIC, CSRT (19 October 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal – JAWAD, Mohammed

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States indicating that the detainee is associated with forces that are engaged in hostilities against the United States or its coalition partners.

The detainee is associated with forces that are engaged in hostilities against the United States or its coalition partners:

1. Originally from Miran Shah, Pakistan, the detainee was recruited by six men while attending the local Qari mosque.
 2. The detainee was recruited to clear Russian mines in Kabul, Afghanistan.
 3. The detainee was affiliated with the Hezb-E-Islami organization.
 4. The Hezb-E-Islami organization is a terrorist organization with long-established ties to Bin Laden.
 5. The detainee attended a Jihad Madrassas where he prepared to fight on the front lines.
 6. The detainee attended a training camp in late 2002 and received instruction on the AK-47, shoulder-held rocket launchers, and grenades.
 7. The detainee admits to telling a terrorist organization associate that he would kill Northern Alliance and American forces.
 8. The detainee was captured approximately 17 December 2002, in Kabul, Afghanistan while fleeing from the scene of a grenade attack targeting American soldiers.
4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

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Exhibit

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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

When asked by the Tribunal President if the detainee had any questions concerning the CSRT process, the Detainee answered:

Detainee: What kind of questions?

Tribunal President: Do you have any questions about why we are here and what we are going to do?

Detainee: I have a question, why am I here?

Tribunal President: Here in this Tribunal?

Detainee: I don't understand.

Tribunal President: I am asking if you have a question about why we are here today and what we are going to do here today?

Detainee: You are here to find out if I am a criminal or not.

Tribunal President: We are not here to decide if you are a criminal. We are going to decide from information if you are an enemy combatant.

Detainee: Okay.

Tribunal President: At any time during this session you have a question of what we are doing you may ask me at anytime.

Tribunal President: Do you wish to make a statement to this Tribunal?

Detainee: I have already told my story to my Personal Representative.

Tribunal President: The Personal Representative will provide us the same information that you discussed previously and I understand that. During this part you will have a chance and an opportunity to add, change, confirm, or deny whatever he says. Before we start this I would like to ask you to promise to tell the truth. And we have a statement that we call an oath, the Muslim oath to tell the truth. Do you want to take that oath?

Detainee: Yes.

[The detainee was sworn using the Muslim oath.]

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Tribunal President: Personal Representative you may assist the detainee in his statement.

Personal Representative: I am going to tell the Tribunal what we talked about last week. If I say something wrong you correct it.

Detainee: I don't want to talk about it because I have already talked about it. You go ahead and read and that will be okay.

Personal Representative: Okay.

Detainee: I will tell my whole story for you guys but you promise me that you will listen to me and believe me. I will tell you everything how I got captured and how I got there. But you have to be honest with me. If you have any proof or you prove that I am a criminal I am ready for any punishment. I want you to go by the law.

Personal Representative [reading from notes taken during his earlier interview with the detainee]: My uncle gave me some money to go buy something at the market but it was prayer time so I went to the Mosque to say my prayers. At the Mosque I was approached by a man who asked where I was from, where did I live, and did I have a job? I didn't have a job. The man said everybody needs to be doing something. The man said that he would give me a job to clear mines in Afghanistan. I wanted this job but I wanted to talk to my mother first. The man convinced me not to talk to my mother about clearing mines but just tell her I got a job in Afghanistan.

Detainee: My mother wasn't home. She was at my father's house. I didn't tell my mother. I went to Pakistan. My mother wasn't in Pakistan. She went to Khost to visit my father in Afghanistan.

Personal Representative: [reading] My family told me I was just a little guy and I didn't need to go to Afghanistan but I wanted to go to work. So the next day I met the same two men in front of the Mosque. I talked to them then went home and spent the night and packed. The next day I went back to the Mosque and I saw the two men in a white Corolla car. The motioned for me to come to the car. I got in the car and we drove to a mountain area, which was a center for mine training where I met more people. We spent the night there. In the morning a list of names was presented. I got an ID card and they told me I would be clearing mines with equipment and dogs. I saw a piece of paper and it had the name Hezb-E-Islamic on it and a list of things.

Detainee: I didn't see any names on the list but it talked about the training and how we would clear the mines.

Personal Representative: [reading] The man gave me two small pills each day, which made me sleepy and forget about my family. Two men came and told me to fire guns they said everybody does this and it is fun. These men's names were number two and number three.

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Detainee: No.

Personal Representative: Do you remember what their names were?

Detainee: Their names were Aziz and Hasan.

Personal Representative: [reading] Aziz was from Kashmir, Pakistan.

Detainee: I didn't know him and I am not sure. The other person that introduced him to me said he was from Kashmir, Pakistan.

Personal Representative: [reading] The men gave me injections in the leg and I hallucinated about many things, like my nose coming off and giving my ear to people. We were at the camp for twelve days.

Detainee: I am not sure about the twelve days, he told me we were going to be staying for twelve days. I think we stayed for 2 to 5 days. I think I am not sure.

Personal Representative: [reading] I wanted to go see my mom in Khost before leaving to Kabul.

Detainee: I didn't say that. When I went to Khost I was thinking about my mother.

Personal Representative: Okay, but you saw your mother and you told her good-bye.

Detainee: Yes.

Personal Representative: [reading] I went to Khost in a taxi. There was another man with me and his name was number forty-two.

Detainee: Including me there was four people, me, Nadir, number thirty-nine and number forty-two.

Personal Representative: [reading] Then we ate lunch and went to Kabul and stayed in a hotel. Number thirty-nine told me to stay in my hotel room. So I spent the night there and number thirty-nine gave me some money and four bombs in a bag.

Detainee: No they didn't give me that.

Personal Representative: [reading] I then went to a Bazaar in Kabul.

Detainee: Yes I went to the Bazaar but they did not give me the bomb and the money. They gave it to Nadir.

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Personal Representative: They gave the bombs to Nadir?

Detainee: Yes they gave it to Nadir.

Personal Representative: [reading] Nadir took two of the bombs and put them in my pocket. Nadir threatened to kill me.

Detainee: No.

Personal Representative: [reading] Something happened; I don't know what it was but people were running everywhere. Then somebody arrested me and took to Bagram and then here.

Personal Representative: That is the end of what we spoke about. The detainee was arrested with Nadir, number thirty-nine and number forty-two.

Detainee: I don't know about the others. I know I was captured at that time.

Personal Representative: Do you know the name of the man that was captured at the same time?

Detainee: I am not sure about the rest of them if they got captured or not. But when they captured me I told them about the (inaudible). I don't have the right information.

Tribunal President: Is there anything else that you would like to tell us?

Detainee: What do you want me to tell you?

Tribunal President: Anything more about what we were given. Where you were recruited, what training you had, and how you were arrested. Anything more about that, which you can add from what the Personal Representative, said.

Detainee: There was some more information that my Personal Representative did not talk about. They showed me how to use the grenade, how to throw the bomb. They told me there is an organization in Afghanistan, an office were I could work with clearing mines. One mine exploded next to me but I did not get hurt.

Tribunal President: Does that conclude your statements?

Detainee: Before I was captured in Kabul they gave me orange chewing gum, chocolate candy and a tablet. When I took this pill I didn't know what I did. I was out of my mind I couldn't think clearly.

Tribunal President: Anything else?

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Detainee: No.

Tribunal President: Personal Representative do you have any questions for the detainee?

Personal Representative: No sir.

Tribunal President: Recorder do you have any questions for the detainee?

Recorder: No sir.

Tribunal President: Do the board members have any questions for the detainee?

Tribunal Members: No sir.

Tribunal President: Do you have any other evidence to present to this Tribunal?

Detainee: What kind of evidence?

Tribunal President: Do you have any documents for example?

Detainee: I think I want the witnesses, the people that were captured with me. I want them to be here also. If they give testimony against me as being a member of the Taliban or Al-Qaida that is okay. All of my statements are true. If my witnesses are here they can hear all my statements and say they are true.

Tribunal President: These witnesses do you have their names and where they can be found?

Detainee: I have been told that they are here and then I was told that they were killed. I have also been told that they were back in Afghanistan with the government. I am not sure where they are.

Tribunal President: Do you have a complete name for them so we can attempt to find them?

Detainee: I don't know their complete names and I don't have any information about them.

Tribunal President: Without a complete name we are unable to find them and locate them for you so it is not reasonable for us to provide them at this time. We will consider your statements during our deliberations.

Tribunal President: Personal Representative do you have any other evidence to present to this Tribunal?

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Personal Representative: No sir.

AUTHENTICATION

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



Col, USAF

Tribunal President

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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at US Naval Base Guantanamo Bay, Cuba

7 November 2005

TO: JAWAD, MOHAMED

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF JAWAD, MOHAMED

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a. Commitment

1. The detainee met an individual at the detainee's shop in the Khowst Province around October 2002. This individual initially approached the detainee with an opportunity to make extra money. The job would involve killing Americans.

2. The detainee attended Qurey Mosque in Miran Shah, Pakistan in early December 2002 where he met four people. The detainee was asked if he would be interested in helping them clear mines. The detainee would be paid at least 12,000 Pakistan Rupees for his labor.

b. Training

1. The detainee trained for approximately one and a half days in the Khowst Province of Afghanistan. Upon arrival, the detainee was given one or two injections in his right leg that caused confusion and incoherence. Additionally, on the day of the mission, the detainee was given two oral pills that caused the same effects.

2. The detainee was trained to use AK-47's, rocket launchers, machine guns and hand grenades.

3. The detainee was identified as being at a Jihadi Madrassa before the Americans came to Afghanistan. The detainee was attending training on how to throw grenades. The detainee was seen with a fake plastic grenade in his hand.

4. The detainee trained with the Hezb-I Islami Gulbuddin.

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DMO Exhibit 7
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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF JAWAD, MOHAMED

c. Detainee Actions and Statements

1. On 17 December 2002, two people ordered the detainee and a second individual to position themselves near the mosque and to wait for an American target to pass. As an American vehicle passed, the second individual ordered the detainee to throw a grenade into the vehicle.

2. The detainee stated, originally he was not the person who was supposed to throw the grenade but that the grenades were passed to him at the last minute. He and others were waiting in the market for United States' vehicles to pass. The other individuals told the detainee to throw the grenade, so he did.

3. As the detainee threw the grenade, the second individual fled the scene and the detainee was caught by a local police officer at the site of the explosion.

4. The detainee made a written confession to this attack, signed it and marked it with his fingerprint.

5. The detainee told a senior Afghani police officer that he was proud of what he did and if he were let go, he would do it again.

d. Other Relevant Data

A senior Afghani official stated he heard the detainee admit to throwing the grenade at the two United States soldiers.

4. The following primary factors favor release or transfer:

a. The detainee maintains his innocence stating someone else threw the grenade. He stated he was at the scene when this individual threw the grenade, however he wasn't involved.

b. The detainee said he has not served in any military army and never received any military training or terrorist training.

c. The detainee said he had no knowledge of the 11 September 2001 attacks on the United States prior to the event nor does he have any knowledge of future attacks against United States citizens.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Summary of Administrative Review Board Proceedings for ISN 900

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

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

The Administrative Review Board members were sworn.

The Assisting Military Officer was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the Muslim oath.

Detainee: I am not going to swear and I am not going to promise that I am telling the truth.

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

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

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

Assisting Military Officer: The Detainee's ARB interview was conducted on 06 December 2005, and lasted 45 minutes. After reviewing the ARB's purpose and procedures, the Pashto translated Unclassified Summary of Evidence was read to the Detainee. The Detainee stated he understood the difference between the CSRT and the ARB. When asked if he would like to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he would attend the ARB. The Detainee stated he would speak at the ARB and respond point-by-point to the

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Unclassified Summary of Evidence. The Detainee was very cordial, attentive, and was well informed about the ARB's purpose and procedures. At the conclusion of the interview, the Detainee requested both the English and the Pashto translated copies of the Unclassified Summary of Evidence. These were then provided to the Detainee via his guards.

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

The Detainee chose to respond to the Unclassified Summary of Evidence as each item of information was presented.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) The Detainee met an individual at the Detainee's shop in the Khowst Province around October 2002. This individual initially approached the Detainee with an opportunity to make extra money. The job would involve killing Americans.

Detainee: [Looking confused after the translator spoke]

Presiding Officer: Is this allegation/statement true or false?

Detainee: That [allegation] is wrong. It is not true. It is not a fact. I don't have any shop in Khowst. I don't know anyone to give me any money.

Designated Military Officer: (3.a.2) The Detainee attended Qurey Mosque in Miran Shah, Pakistan in early December 2002, where he met four people. The Detainee was asked if he would be interested in helping them clear mines. The Detainee would be paid at least 12,000 Pakistani Rupees for his labor.

Detainee: Yes, it is true.

Translator: [To the Presiding Officer] I told the Detainee that when he speaks he needs to let me translate. I told the Detainee not to talk over me.

Detainee: That is true [referring to allegation 3.a.2], but it's not my fault. I came to Afghanistan as a laborer. I will tell you how I met them [referring to the individuals in

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allegation 3.a.2] and how I came to Afghanistan. One day my uncle gave me money to go to the market to purchase some groceries and some merchandise. I went to the market. While I was at the market it became time to pray. I went to the mosque to pray. I washed before praying at the mosque. Someone called out to me. Someone behind me shouted out to me. When I went over to the man he gave me a greeting and said hello. The man said he had a few questions he wanted to ask me. I told him to go ahead and ask his questions.

The first thing the man asked me was my name. I told him my name. The second question he asked was where did I come from [which province was I from]. I told him I was living in Afghanistan, I am living in...

Presiding Officer: At this time you [the Detainee] are getting a little off track in regards to what this allegation [3.a.2] is about.

Detainee: I am trying to tell you how I met these individuals [referring to the individuals in allegation 3.a.2] and how I came to be with and work for them. I am trying to answer the allegation [3.a.2]. I am trying to tell you that my association with them and for me to work with them is not a crime.

Presiding Officer: So, you admit to allegation 3.a.2, is that correct?

Detainee: Yes. But those individuals brought me with them as a laborer, a worker. I was working for them.

Board Member: Were you offered money to help clear mines?

Detainee: Yes. They told me they would pay me 12,000 Pakistani Rupees to do the job.

Board Member: Were you trained in mines?

Detainee: No.

Board Member: Did you have any experience in mine clearing?

Detainee: No. I am not experienced in mine clearing. It's not a crime for me to take a job to earn money.

Presiding Officer: No one has said that this [allegation 3.a.2] is a crime. This allegation is merely a part of your story.

Detainee: Well, you wrote down in the Unclassified Summary of Evidence that this [referring to 3.a.2] is an allegation. Allegation means to accuse.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee trained for approximately one and a half days in the Khowst Province of Afghanistan. Upon arrival,

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the Detainee was given one or two injections in his right leg that caused confusion and incoherence. Additionally, on the day of the mission, the Detainee was given two oral pills that caused the same effect [as the injections].

Detainee: I did not have any training.

Designated Military Officer: (3.b.2) The Detainee was trained to use AK-47s, rocket launchers, machine guns, and hand grenades.

Detainee: I have not been trained on these [weapons] and I don't know these [weapons].

Designated Military Officer: (3.b.3) The Detainee was identified as being at Jihadi Madrassa before the Americans came to Afghanistan. The Detainee was attending training on how to throw grenades. The Detainee was seen with a fake plastic grenade in his hand.

Detainee: This statement is not true. It is a lie. I never went to a religious school. I have not heard of those names before. I only went to school in Pakistan.

Board Member: Did you learn how to throw grenades?

Detainee: No. I never learned how to throw [a grenade].

Designated Military Officer: (3.b.4) The Detainee trained with the Hezb-I-Islami Gulbuddin.

Detainee: I don't know anybody and no one gave me any training.

Designated Military Officer: (3.c) Detainee Actions and Statements. (3.c.1) On 17 December 2002, two people ordered the Detainee and a second individual to position themselves near the mosque and to wait for an American target to pass. As an American vehicle passed, the second individual ordered the Detainee to throw a grenade into the vehicle.

Detainee: Nobody asked me to throw a grenade. I have never thrown a grenade. I don't understand how to throw it [a grenade].

Designated Military Officer: (3.c.2) The Detainee stated originally he was not the person who was supposed to throw the grenade, but that the grenades were passed to him at the last minute. He and others were waiting in the market for United States' vehicles to pass. The other individuals told the Detainee to throw the grenade, so he did.

Detainee: That is not true. I told them [interrogators] in my statement that I was the person *who did not throw the grenade*.

Board Member: Please repeat your statement.

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Detainee: I told the interrogators in my statement I *did not throw the grenade*. I am not the person who threw the grenade.

Translator: [Detainee speaking to translator] The Detainee is asking me how did I [the translator] tell you [the Review Board] what the Detainee just said. The Detainee wants to make sure that I told you he said, "*I told the interrogators that I was not the one who threw the grenade. I did not throw the grenade.*"

Designated Military Officer: (3.c.3) As the Detainee threw the grenade, the second individual fled the scene. The Detainee was caught by a local police officer at the site of the explosion.

Detainee: No, that is not true.

Designated Military Officer: (3.c.4) The Detainee made a written confession to this attack, signed it, and marked it with his fingerprint.

Detainee: When they took me there [referring to the local police who arrested the Detainee and the local jail] they tortured me. They [the police] beat me. They beat me a lot. One person told me, "If you don't confess, they are going to kill you." So, I told them anything they wanted to hear. I told them anything they wanted me to say. By forcing me, beating me, and scaring me, I confessed.

Presiding Officer: At this point in the session, the Review Board will inquire on behalf of the Assisting Military Officer. [Speaking to the Assisting Military Officer] Have you heard words to this effect [in regards to the beatings and torture] prior to today?

Assisting Military Officer: No Sir.

Translator informed the Detainee of the discussion between the Assisting Military Officer and the Presiding Officer with regards to the procedure with allegations of torture and abuse.

Presiding Officer: I will query the Assisting Military Officer at this time. Do you concur that this [Detainees statement of abuse, torture] triggers the mandatory reporting aspect of the Office of Administrative Review for the Detention of Enemy Combatants (OARDEC) Standard Operating Procedure (SOP) [with regards to reporting allegations of abuse and torture]?

Assisting Military Officer: Yes Sir.

Presiding Officer: I therefore direct you, the Assisting Military Officer, to comply with the OARDEC SOP with regards to reports of abuse and/or torture.

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Assisting Military Officer requested that the translator inform the Detainee that he (the Assisting Military Officer) had been directed to and is required to formally report any allegation of abuse or torture.

Presiding Officer: The Review Board will also comply with the reporting procedures with regards to allegations of abuse and/or torture.

Board Member: Just to clarify, where did this [the torture/abuse] occur?

Detainee: In Kabul, by the Afghanistani Government.

Presiding Officer: The Review Board will annotate your case file to reflect you have made an allegation of abuse/torture.

Detainee: Thank you. It is the truth. I have never seen or endured any torture in Bagram or here in Cuba by Americans.

Presiding Officer: So, this allegation of abuse/torture was not by an American, but rather an Afghani. Is that correct?

Detainee: Yes. The allegation [3.c.4] says that I put my fingerprint and my signature on a confession. I do not have a signature. I have never had a signature.

Designated Military Officer: (3.c.5) The Detainee told a senior Afghani police officer that he was proud of what he had done, and if he were let go, he would do it again.

Detainee: I never said that.

Designated Military Officer: (3.d) Other Relevant Data. A senior Afghani official stated he heard the Detainee admit to throwing the grenade at the two United States soldiers.

Detainee: Yes. I was afraid of being terrorized by the police. I was afraid of being beaten and tortured. It is possible that when they [the Afghani police] were beating me and forcing me to confess, someone may have overheard me.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a) The Detainee maintains his innocence stating someone else threw the grenade. He stated he was at the scene when this other individual threw the grenade, however he was not involved.

Detainee: Yes, I was there. I don't know where the bomb [the grenade] was thrown and where I got caught.

Board Member: Do you know the person who threw the grenade?

Detainee: Yes. I don't know his name and I don't know where he came from, but if I were to see him, I would be able to tell you, "Yes, that is the guy."

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Board Member: Did you know the attack was going to happen before it actually occurred?

Detainee: No. I was not aware of the attack before it happened.

Designated Military Officer: (4.b) The Detainee said he has not served in any military army and never received any military training or terrorist training.

Detainee: Yes, I did say that.

Designated Military Officer: (4.c) The Detainee said he had no knowledge of the 11 September 2001, attacks on the United States prior to the event nor does he have any knowledge of future attacks against United States citizens.

Detainee: I was not aware and I do not have any information about the attack.

Translator: The Detainee is asking me how I translated his last statement. The Detainee still has doubts that I am not translating properly to the Review Board. The Detainee wants to make sure that I told the Review Board, "Did you tell them that I said that I was not the one who throw the grenade?" I told the Detainee that I told this to the Review Board.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer indicated he had some additional Detainee comments from the Enemy Combatant Election Form and that the Detainee would like to make an oral statement.

Assisting Military Officer: The following are additional Detainee comments from the Enemy Combatant Election Form: *While the translator was reading the introduction of the Unclassified Summary of Evidence, the Detainee interrupted and basically recited the first two paragraphs. After the Detainee stated he would attend the ARB, the AMO informed him that he has the option to take an Islamic oath. The Detainee then stated, "Well, I'm not going to swear...non-Muslims don't believe us, so what does it matter? I swore (an oath) at the CSRT and still they did not believe me. I was still made an EC (Enemy Combatant)." The Detainee commented that based on discussion with other detainees, he had decided to answer point-by-point to the Unclassified Summary of Evidence, using written notes on his Pashto-translated copy of the Unclassified Summary of Evidence. After the AMO asked if he wanted to present any written statements or other*

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documents at the ARB, the Detainee replied, "I would have written my family for evidence of my innocence, but I haven't...because this would get censored. I am not allowed to write this. How can I get documents since I can't request these from my family?" After the AMO explained that he has the option to provide general statements, in addition to response to the Unclassified Summary of Evidence, the Detainee commented, "Yes, I was a student... if I am released, I will become a student again." At the conclusion of the interview, the Detainee asked, "Where do you (the AMO) come from?" The AMO replied that the Detainee was not allowed that information. The Detainee then stated he had no further comments or any questions.

The Detainee made the following statement:

Detainee: Do you want me to tell my story?

Presiding Officer: At this time, the Review Board would like for you to make your personal statement.

Detainee: About what?

Translator: I told the Detainee if he has any personal statements to make in regards to the allegations, this is the time.

Presiding Officer: Do you not want to make a personal statement?

Detainee: Yes. I am not a criminal and I am not guilty. Because of work I came to Afghanistan. I wanted to make money. The people I went to Afghanistan with, they told me my job was going to be clearing out and cleaning up the mines. Before that, my uncle had given me money to go to the bazaar to purchase some things. When I was at the bazaar, it became time to pray. When I went to the mosque to pray I met these men. The men said hello to me and then...

Presiding Officer: Let's stop for just a minute. [To the Detainee] The Review Board heard this same story in a statement you made earlier in the session.

Detainee: What kind of statement do you want? Do you want me to make a statement about my jail time and how it has been an injustice? Do you want a statement about my torture [in Afghanistan]? Do you want me to make a statement about my time here [in Guantanamo]?

Presiding Officer: You may state anything that you would like in your personal statement. However, the Review Board has already heard this portion of your statement and we do not need to hear it again.

Detainee: These people [talking to the translator, referring to the Review Board] want me to cooperate with them?

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Translator: I told the Detainee, "Yes, the Review Board would like your cooperation."

Detainee: I have cooperated. I told the Review Board the truth. That's it.

Administrative Review Board Member Questions:

Board Member: Mr. Jawad, you mentioned that you were at the scene of the attack. Why were you there at that time?

Detainee: Yes. I was there. A person gave me something, but I did not know what the object was that the person gave me [referring to the grenade]. One of those guys gave me one of those to put in my pocket to keep.

Board Member: That gave you one of what? What was it the individual gave you?

Detainee: His name was Madar.

Board Member: No, I am not asking the individual's name. I am asking you, what is the object he gave to you to put into your pocket?

Detainee: I will tell you now. They gave *it* to me and then said they would take it back from me later. They told me to stay here [the Detainee did not identify where *here* was. Close to the origin of the attack]. The man told me that he would come back. The man did not come back. Beside me there was a sack of raisin. I wanted to buy some raisins. When I went to pay for the raisin, I took the thing the person gave me out of my pocket and placed it on top of the sack of raisins. The shopkeeper saw the *thing* and asked me what it was. I told the shopkeeper I did not know what it was, but someone had given it to me. The shopkeeper told me that it was a bomb and that I should go and throw it in the river. I put the thing back in my pocket and I was running and shouting to stay away, it's a bomb! When I got close to the river, people [the police] caught me. The only thing I remember now, I was in the custody of the police.

Board Member: So, someone was going to hire you to clear mines. You were then given a grenade, but you had no idea that the item they gave you was a grenade?

Detainee: Before that time, I had never seen a grenade nor did I know what a grenade was.

Board Member: Do you admit now that the item you had was in fact a grenade?

Detainee: Well, the shopkeeper told me it was a bomb. When I got caught they told me it was a bomb. I guess it is possible that the item I had was a bomb.

Board Member: You were there when the attack occurred, correct? You also know the person who threw the grenades at the American vehicle. Correct?

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Detainee: It's a possibility that they guy who gave me the grenade, maybe he threw it.

Board Member: Did you hear an explosion?

Detainee: Yes. I didn't know it was a bomb, but I could hear people shouting.

Board Member: The name you mentioned earlier, is that the name of the person who threw the bomb/grenade?

Detainee: I did not see it with my own eyes. I think he is the one, but I did not see him [throw it] with my own eyes. He should be the one because he cheated me.

Board Member: What is your relationship with the person who threw the grenade?

Detainee: I have no relationship with him and I don't know him.

Board Member: You have no relationship with this man, but he just happened to give you a grenade.

Detainee: That man, I came to Afghanistan to work for him.

Board Member: With regards to the United States intervention into Afghanistan against the Taliban, do you consider the United States to be a liberator or an invader?

Detainee: We knew that they [the Americans] would bring peace and stability to Afghanistan. We knew they would help build up our country.

Board Member: What is your education level? How much schooling have you had?

Detainee: I have completed sixth or seventh grade.

Board Member: Do you have a family to return to in Afghanistan?

Detainee: My family is in Pakistan.

Board Member: During your training in Afghanistan, you received two injections. Do you know what those injections were?

Detainee: When they gave me that injection, my thinking was *the other way, not right*.

Board Member: You don't know what the injection was?

Detainee: I have no idea. They told me that when anyone works for us clearing the mines [referring to the individuals in allegation 3.a.2] we inject *this stuff* into the workers. They told me it was routine.

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

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

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


Colonel, USA
Presiding Officer

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Summary of Administrative Review Board Proceedings for ISN 902

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

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

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the Muslim oath.

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

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

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

Assisting Military Officer: The Detainee's ARB interview occurred on 19 October 2005 and lasted 40 minutes. After a review of the ARB's purpose and procedures, the Pashto translated Unclassified Summary of Evidence was read to the Detainee. When the Detainee was asked if he wanted to attend the ARB, present a written or oral statement, to have the AMO speak on his behalf, he said he would attend the ARB and respond to each statement of information in the Unclassified Summary after it is presented. The Detainee elected to submit 31 letters and one photograph to the board. A follow up interview, to allow the Detainee to bring the items, was conducted on 20 October 2005 and lasted 71 minutes. The Detainee was cooperative and polite throughout both interviews. The

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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

26 October 2006

TO: KHAN, AMIR

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF KHAN, AMIR

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a. Commitment

1. The detainee stated he trained with the Hizb-1 Islami Gulbuddin for approximately one and a half days in Khowst, Afghanistan. The detainee trained with grenades.

2. The Hizb-1 Islami Gulbuddin has long-established ties with Usama bin Laden. The Hizb-1 Islami Gulbuddin has staged small attacks in its attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghanistan Transitional Administration and to establish a fundamentalist state.

3. A source stated he saw the detainee in a jihad Madrassas preparing to fight on the front lines.

4. The detainee stated he and an associate were ordered to position themselves near a mosque and wait for an American target to pass by. According to the detainee, as an American vehicle passed, the associate ordered the detainee to throw a grenade into the vehicle. The detainee further stated as he threw a grenade which exploded at the front passenger's feet, the associate fled the scene; while the detainee was caught by a local police officer.

5. The detainee stated he and an associate left a mosque and while on the street, the associate threw two grenades into a car.

6. The detainee stated although he was at the scene when an associate threw the grenade, he was innocent and not involved.

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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF KHAN, AMIR

7. The detainee stated originally he was not supposed to be the one to throw the grenade; the grenades were passed to him at the last minute.

8. According to the Afghanistan police who witnessed the attack, there was only one suspect involved.

9. According to a member of the Afghanistan National Security Council the detainee stated none of the people who trained him were around and he acted alone in the grenade incident. The detainee also stated he was trained to target Americans and the Afghanistan government. During the Afghanistan police interrogation, the detainee admitted to throwing the grenade at the two United States soldiers. The detainee spoke English and had approximately four grenades in his possession when he was arrested.

b. Training

1. The detainee claimed he did not serve in any military army and never received any military or terrorist training.

2. The detainee claimed while he was in the caves of Afghanistan, he was trained on how to use AK-47's, rocket launchers, machine guns and hand grenades.

c. Intent

1. The detainee stated an associate asked him if he would be willing to kill anyone, and the detainee said yes.

2. The detainee stated an associate approached him with an opportunity to make extra money in a job that would involve killing Americans.

3. When questioned by the police regarding the detainee's grenade attack against United States soldiers, the detainee stated he was proud of what he did and if he were let go he would do it again.

4. The detainee made a written confession to this attack, signed it and marked it with his fingerprint.

d. Other Relevant Data

The detainee claimed to have some knowledge of the attacks in the United States prior to their execution on 11 September 2001 but denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF KHAN, AMIR

4. The following primary factors favor release or transfer:

a. The detainee stated that he had no prior knowledge of the attacks on 11 September 2001 in the United States and he has no knowledge of future attacks against the United States citizens.

b. The detainee stated he never fought with the Taliban.

c. When the detainee was asked how he went from a job of clearing mines to involvement in a grenade attack on United States military soldiers, the detainee said he was tricked.

d. The detainee claims that he could not recall any of the specifics regarding his involvement during the grenade attack. The detainee claims that he vaguely remembers what actually happened during the grenade attack because he claims he was drugged.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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ISN: 900

Inprocess Date:
Inprocess Weight: 119.0

Refused Weights: Jan-Mar 05, Dec04, Jun-Jul 04
Inprocess Height: 64.0

Date	Weight
24-Nov-06	150
27-Oct-06	155
23-Sep-06	142.4
6-Sep-06	155
20-Aug-06	151
18-Jul-06	148
21-Jun-06	160
21-May-06	149
20-Apr-06	160
Sep-05	150
Jul-05	143
May-05	138
Apr-05	140
Nov-04	143
Oct-04	143
Sep-04	135
Aug-04	130
May-04	124
Apr-04	137.4
Mar-04	138
Feb-04	118
Jan-04	142
11-Aug-03	143
18-Dec-02	130

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