



**S E C R E T // N O F O R N // 20331022**

**DEPARTMENT OF DEFENSE**  
HEADQUARTERS, JOINT TASK FORCE GUANTANAMO  
U.S. NAVAL STATION, GUANTANAMO BAY, CUBA  
APO AE 09360



JTF-GTMO-CDR

22 October 2008

MEMORANDUM FOR Commander, United States Southern Command, 3511 NW 91st Avenue,  
Miami, FL 33172

SUBJECT: Recommendation for Continued Detention Under DoD Control (CD) for  
Guantanamo Detainee, ISN US9YM-000899DP (S)

### **JTF-GTMO Detainee Assessment**

#### **1. (S//NF) Personal Information:**

- JDIMS/NDRC Reference Name: Shawali Khan
- Current/True Name and Aliases: Shawali Khan, Shawali Mohammad Zey
- Place of Birth: Arghandab, Kandahar Province, Afghanistan (AF)
- Date of Birth: 1963
- Citizenship: Afghanistan
- Internment Serial Number (ISN): US9AF-000899DP



**2. (U//FOUO) Health:** Detainee is in overall good health.

#### **3. (U) JTF-GTMO Assessment:**

**a. (S) Recommendation:** JTF-GTMO recommends this detainee for Continued Detention Under DoD Control (CD). JTF-GTMO previously recommended detainee for CD on 31 March 2007.

**b. (S//NF) Executive Summary:** *If released without rehabilitation, close supervision, and means to successfully reintegrate into his society as a law-abiding citizen, it is assessed detainee would probably seek out prior associates and reengage in hostilities and extremist support activities. Since his transfer to JTF-GTMO detainee has largely been compliant with the guard force, but has one incident of threatening to kill a guard's family. He is non-cooperative with debriefers and withholds information of intelligence value, probably indicating his continued support for anti-Coalition elements in Afghanistan. Detainee is an*

**CLASSIFIED BY:** MULTIPLE SOURCES  
**REASON:** E.O. 12958, AS AMENDED, SECTION 1.4(C)  
**DECLASSIFY ON:** 20331022

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admitted member of the Hezb-E-Islami Gulbuddin (HIG)<sup>1</sup> with ties to the Anti-Coalition Militias (ACM), and possible ties to al-Qaida's terrorist network and Iranian extremist elements. Detainee conducted terrorist operations against US and Coalition forces. Detainee has familial ties to a high-level HIG leader who remains active against US and Coalition forces in Afghanistan. JTF-GTMO determined this detainee to be:

- A **HIGH** risk, as he is likely to pose a threat to the US, its interests, and allies
- A **MEDIUM** threat from a detention perspective
- Of **MEDIUM** intelligence value

**c. (S//NF) Summary of Changes:** The following outlines changes to detainee's assessment since the last JTF-GTMO recommendation.

- Removed statement that detainee wrote letters in Arabic, which was based on incorrect information entered into Harmony. Since detainee is no longer assessed to be proficient in reading and writing Arabic, it lends more credence to detainee's claim that the books and manuals written in Arabic, found during a search of detainee's house, were items detainee had looted from items abandoned by Arabs fleeing Kandahar.

#### **4. (U) Detainee's Account of Events:**

**The following section is based, unless otherwise indicated, on detainee's own account. These statements are included without consideration of veracity, accuracy, or reliability.**

**a. (S//NF) Prior History:** Detainee grew up in Arghandab, a small village near Kandahar. Detainee worked in the family orchards where the family grew and sold pomegranates, peaches, and apricots. Detainee did not attend school and states he is uneducated although he can read the Koran.<sup>2</sup>

**b. (S//NF) Recruitment and Travel:** Detainee was recruited into the HIG for three to five years during the Soviet-Afghan War,<sup>3</sup> but detainee does not remember the exact timeframe. Detainee attended an extremist training camp at Yaro Khayl, Pakistan (PK), where he

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<sup>1</sup> Analyst Note: The HIG is a National Intelligence Priority Framework (NIPF) counterterrorism (CT) Priority 2 target. Priority 2 targets are defined as terrorist groups, especially those with state support, countries that sponsor terrorism; or countries that have state organizations involved in terrorism that have demonstrated both intention and capability to attack US persons or interests.

<sup>2</sup> 000899 FM40 07-FEB-2003

<sup>3</sup> Analyst Note: The Soviet-Afghan war began in 1979 and ended in 1989.

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received training on the RPG-18 rocket-propelled grenade.<sup>4</sup> Detainee stated his uncle, Zabit Jalil, was a commander for the HIG.<sup>5</sup>

**c. (S//NF) Training and Activities:** Detainee served as a radio operator with the HIG. In approximately 1996, the Taliban, soon after coming to power, conscripted detainee as a guard and general laborer. Detainee received a letter from the Taliban releasing him from future service to the Taliban after only two months. During detainee's service with the Taliban, he engaged the Northern Alliance in one battle, from which detainee fled.<sup>6</sup>

**5. (U) Capture Information:**

**a. (S//NF)** On 15 November 2002, US Special Forces (USSF) arrested detainee under charges of significant links to his uncle Zabit Jalil, a HIG commander. A search of detainee's home uncovered a notebook with Arabic writing, numerous al-Qaida training methods, and a picture of Usama Bin Laden (UBL) within the book.<sup>7</sup>

**b. (S) Property Held:**

- Clothing
- Though not held at JTF-GTMO, the following items were reportedly in detainee's possession at time of capture<sup>8</sup>:
  - 7,000 Afghanis<sup>9</sup>
  - Al-Qaida training manual containing information about assassinations, surveillance, counterfeiting, and a plan to kidnap the American president.<sup>10</sup>
  - Documents referring to [anti-personnel/anti-tank] mines and mine recognition,<sup>11</sup> and a notebook on maintenance and use of weapons<sup>12</sup>
  - Audiotape singing the praises of the Taliban<sup>13</sup>

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<sup>4</sup> 000899 HANDNOTE 09-JAN-2003, Analyst Note: The RPG-18 is a disposable, single-shot anti-tank rocket similar to the US M72 LAW (light anti-tank weapon).

<sup>5</sup> 000899 FM40 17-FEB-2003, Analyst Note: Zabit Jalil is currently a commander for the HIG and has commanded many raids against US and Coalition forces in Afghanistan.

<sup>6</sup> 000899 FM40 21-FEB-2003, 000899 FM40 07-FEB-2003

<sup>7</sup> IIR 6 034 0588 03000899 FM40 17-FEB-2003, IIR 6 044 0433 03, 000899 BSCT LETTER 24-SEP-2003

<sup>8</sup> Analyst Note: These documents can be found in the Harmony database through a search of the term "T427 not guan". T427 is detainee's MP number that was assigned to him after his capture.

<sup>9</sup> 000899 PERSDOC AFGP-2003-000525 13-NOV-2002, Analyst Note: Approximately equal \$1.50 US

<sup>10</sup> 000899 PERSDOC AFGP-2003-000484 13-NOV-2002, Analyst Note: Translated.

<sup>11</sup> 000899 PERSDOC AFGP-2003-000503 13-NOV-2002, Analyst Note: Partial translation.

<sup>12</sup> 000899 PERSDOC AFGP-2003-000540 15-DEC-2002, Analyst Note: The notebook is written in Arabic containing information on the use and maintenance of various weapons including the AK-47. The notebook also contains tables that teach aiming and shooting at fixed and moving targets. The last page states the notebook belonged to the al-Faruq Training Camp in Kandahar.

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- Book of poetry written by Mahfouz Ould al-Walid, aka (Abu Hafs al-Mauritani)<sup>14</sup>

**c. (S) Transferred to JTF-GTMO:** 6 February 2003

**d. (S//NF) Reasons for Transfer to JTF-GTMO:** To provide information on the following:

- Counter drug operations
- Terrorism organizations
- Sociological factors and biographies

**6. (S//NF) Evaluation of Detainee's Account:** Detainee is not forthcoming with interrogators and is deceptive about his past and connections to the HIG. Contrary to reporting, detainee denied he has close ties to his uncle Zabit Jalil, a known HIG leader. Detainee had an al-Qaida training manual at his house when he was captured. When first interviewed about the manual, detainee denied the book existed. Later, detainee said the book was not his. In initial interviews, detainee admitted to training at a mujahideen camp, but later claimed he did not have any military training. However, detainee's past experience with the HIG, Taliban, and photos of mujahideen and weapons in his possession indicate otherwise.

**7. (U) Detainee Threat:**

**a. (S) Assessment:** Detainee is assessed to be a **HIGH** risk, as he is likely to pose a threat to the US, its interests, and allies.

**b. (S//NF) Reasons for Continued Detention:** *If released without rehabilitation, close supervision, and means to successfully reintegrate into his society as a law-abiding citizen, it is assessed detainee would probably seek out prior associates and reengage in hostilities and extremist support activities. Since his transfer to JTF-GTMO detainee has largely been compliant with the guard force, but has one incident of threatening to kill a guard's family. He is non-cooperative with debriefers and withholds information of intelligence value, probably indicating his continued support for anti-Coalition elements in Afghanistan.*

Detainee is an admitted member of the HIG with ties to the ACM as a search of his home at the time of his capture revealed terrorist-related materials to include and al-Qaida manual..

Detainee possibly has ties to al-Qaida and Iranian extremist elements. Detainee participated in the planning and staging of attacks against US and Coalition forces in Kandahar that were

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<sup>13</sup> 000899 PERSDOC AFGP-2003-000605 13-NOV-2002

<sup>14</sup> 000899 PERSDOC AFGP-2003-000483 13-NOV-2002, Analyst Note: Al-Mauritani was a UBL lieutenant, who acted as the legal affairs adviser for UBL's Shura Council and UBL's chief confidant on all religious matters. For more information see TD-314/15086-02 and IIR 6 034 0173 02.

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directed by his uncle Zabit Jalil, a high-ranking HIG commander. Jalil remains active in ACM operations in the Kandahar area. Detainee was in possession of an al-Qaida training manual at the time of capture. Detainee would likely rejoin ACM elements and conduct operations against US and Coalition forces if released.

- (S//NF) Detainee was an active member of the HIG and belonged to a cell, under the command of his uncle Zabit Jalil, which conducted attacks against US and Coalition forces.
  - (S//NF) In early September 2002, Zabit Jalil directed detainee to place and detonate mines outside US and Coalition base “Gecko” near Kandahar. These mines were radio controlled and activated by entering a two-digit number into a radio which signals the mine to detonate.<sup>15</sup>
    - (S//NF) The anti-tank mines targeted Coalition military convoys or Afghan government vehicles. These mines were placed on a dirt road in a deserted area where collateral damage would be minimal, but it would also maximize the time medical and military support would arrive to help the casualties.<sup>16</sup>
    - (S//NF) Detainee passed orders he received from Noor Agha to the other cell members from a shop detainee owned in Kandahar. Detainee was in charge of an ICOM radio system to communicate with Jalil in Quetta. Noor Agha normally received his operational orders and supplies from Zabit Jalil. Jalil received his orders from Mullah Obaidallah,<sup>17</sup> the former Defense Minister for the Taliban and Mullah Akhtar Muhammad Osmani.<sup>18</sup>
  - (S//NF) Between 13 and 22 November 2002, Mullah Dadallah, Akhtar Muhammad Osmani and Zabit Jalil held a meeting in Quetta, PK. The subject of the meeting was detainee’s capture by US and Coalition forces. The attendees believed that Noor Agha, the cell leader in Kandahar was compromised and would soon be captured. The leaders decided to replace Noor Agha with Mullah Rahmatallah Sangaryar, ISN US9AF-000890DP (AF-890, transferred),<sup>19</sup> as the leader of the HIG cell in Kandahar.<sup>20</sup> (Analyst Note: It is assessed these individuals believed detainee would compromise Agha and his operations due to detainee’s subordination to Agha.)

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<sup>15</sup> TD-314/39239-02, IIR 6 044 0300 03, IIR 6 044 0249 03

<sup>16</sup> IIR 6 044 0300 03, IIR 6 044 0267 03

<sup>17</sup> Analyst Note: Mullah Obaidallah Akhund is primarily responsible for keeping the ACM forces supplied with weapons and ammo.

<sup>18</sup> 000899 HANDNOTE 09-JAN-2003; IIR 6 044 0266 03, Analyst Note: Mullah Akhtar Muhammad Osmani commanded the Kandahar military garrison for six years.

<sup>19</sup> Analyst Note: AF-890 was detained along with Nasrullah, ISN US9AF-000886DP (AF-886, transferred), and Istatallah Waladi Rahmattallah, ISN US9AF-000888DP (AF-888). AF-886 and AF-888 delivered four letters to AF-890, with one being from Mullah Obaidallah.

<sup>20</sup> IIR 6 044 0433 03

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- (S//NF) A search of detainee's home at the time of his capture revealed terrorist-related or suspicious material to include the following:
  - (S//NF) An al-Qaida training manual covering topics such as surveillance, assassination, and interrogation techniques, which is similar to other al-Qaida training manuals found in Afghanistan. There was also a reference to a plan that included the kidnapping of the American president using nine men, a car, and a truck.<sup>21</sup> (Analyst Note: Handwritten notes found in the margin concerning traditional and untraditional wars included the use of Nuclear, Biological and Chemical (NBC) weapons. It is unknown if the details of the kidnap plan were in preparation for an actual attempt or, more likely, simply training scenarios.)
  - (S//NF) The names of senior ACM leaders Mullah Dost Muhammad and Abd al-Manan written on a piece of paper.<sup>22</sup> (Analyst Note: Mullah Dost Muhammad and Abd al-Manan were both high-level ACM leaders. Mullah Dost Muhammad is detained in Bagram, AF and Abd al-Manan was killed in action according to the CENTCOM blacklist.)
  - (S//NF) Three books of poetry written by UBL's spiritual advisor Abu Hafs al-Mauritani.<sup>23</sup>
  - (S//NF) A book that questioned the legitimacy of the Saudi Arabian government.<sup>24</sup>
    - Analyst Note: Detainee has stated he was uneducated except for his ability to read the Koran, which is written and studied in Arabic. Detainee claims he looted the books and manuals listed above from the houses of Arabs who fled Kandahar. (S//NF)
- Detainee's uncle and ACM commander Zabit Jalil remains active in militant activities against US and coalition forces.
  - (S//NF) Zabit Jalil and Hafez Majid joined forces and opened an office for joint operations between HIG and the Taliban. Jalil and Majid recruited, trained, and equipped ACM members to fight the coalition in Afghanistan.<sup>25</sup>
  - (S//NF) Jalil and Majid also had the responsibility of maintaining HIG and Taliban connections with the Iranian government. They requested weapons and other supplies from Iran in order to conduct ACM attacks on US and Coalition forces.<sup>26</sup>
  - (S//NF) During mid-2002, Iran gave \$2,000,000 US and 3,000 AK-47 rifles to ACM elements in Afghanistan. Iran has also provided explosives, computer-controlled mines, unidentified poisons, and unidentified chemical capsules to make

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<sup>21</sup> 000899 PERSDOC AFGP-2003-000484 13-NOV-2002

<sup>22</sup> 000899 PERSDOC AFGP-2003-000503 13-NOV-2002

<sup>23</sup> 000899 PERSDOC AFGP-2003-000483 13-NOV-2002

<sup>24</sup> 000899 PERSDOC AFGP-2003-000486 13-NOV-2002

<sup>25</sup> IIR 6 440 0230 02

<sup>26</sup> IIR 6 440 0230 02

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bombs.<sup>27</sup> (Analyst Note: It is assessed detainee's cell received some of the supplies received from Iran.) (S//NF) As of March 2007, Jalil and other ACM commanders had purchased and cached various rockets, RPGs, PK machine gun ammunition, and AK-47s. They intended to smuggle the weapons into Afghanistan to conduct attacks.<sup>28</sup>

- (S//NF) Jalil remained an active ACM leader during 2006<sup>29</sup> through March 2007.<sup>30</sup> Noor Agha is the leader of the cell in Kandahar and is assessed to have been detainee's direct supervisor. Detainee's uncle was active in targeting US and Coalition forces. In early December 2006, Zabit Jalil purchased up to thirty-eight Chinese-made BM-12 rockets. The rockets were to be used in attacks against the Afghan National Army (ANA) and Coalition forces.<sup>31</sup>

- (S//NF) In late November 2006, the Pakistani Government was alleged to have released Taliban prisoners through the arrangements of Zabit Jalil and through Jalil's contact in Pakistan's Inter-Services Intelligence.<sup>32</sup>

- (S//NF) According to the Afghan National Directorate of Security (NDS), a tribal elder from Arghandab District Qandahar Province sustained minor injuries in the 9 March 2007 remote-controlled improvised explosive device (IED) attack on his armored vehicle. The Afghan Government believed Zabit Jalil directed the attack.<sup>33</sup>

- (S//NF) Zabit Jalil reportedly met with HIG leader Gulbuddin Hekmatyar in Quetta in May 2008. At this meeting, Hekmatyar provided Jalil with a suitcase containing an unknown amount of US currency.<sup>34</sup>

**c. (S//NF) Detainee's Conduct:** Detainee is assessed as a **MEDIUM** threat from a detention perspective. His overall behavior has been mostly compliant and sometimes hostile to the guard force and staff. Detainee currently has 43 reports of disciplinary infraction listed in DIMS with the most recent occurring on 07 June 2008, when he was reported failing to comply with a guard's instructions. He has five reports of disciplinary infraction for assault with the most recent occurring on 17 October 2005, when he was reported exposing himself for sexual gratification. Other incidents for which he has been disciplined include inciting and participating in mass disturbances, failure to follow camp rules, assaults, and possession of contraband (food). In 2007, detainee had a total of eleven reports of disciplinary infraction and seven so far in 2008.

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<sup>27</sup> IIR 6 440 0230 02

<sup>28</sup> TD-314/25510-07

<sup>29</sup> IIR 6 059 1453 06

<sup>30</sup> TD-314/25510-07

<sup>31</sup> TD-314/88532-06, TD-314/00183-07

<sup>32</sup> TD-314/87243-06

<sup>33</sup> TD-314/19886-07

<sup>34</sup> IIR 4 240 2808 08

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**8. (U) Detainee Intelligence Value Assessment:**

**a. (S) Assessment:** Detainee is assessed to be of **MEDIUM** intelligence value. Detainee's most recent interrogation session occurred on 3 October 2008.

**b. (S//NF) Placement and Access:** Detainee has historical ties to the HIG and was an integral part of a HIG cell operating in and around Kandahar. Detainee had direct access to his uncle, HIG Commander Zabit Jalil, and was probably provided direct access to operational planning and execution. Detainee has ties to high-level ACM members. Detainee possibly attended extremist training after the Soviet-Afghan War.

**c. (S//NF) Intelligence Assessment:** Detainee has knowledge of HIG cell structure, communications, intelligence, weapons procurement, and employment. Detainee has information relating to high-level members of ACM forces to include a relative who is a HIG Commander which may lead to that relative's capture or disruption of HIG operations. Detainee may be able to further explain the al-Qaida training manual and its origin and contributions to operations against US and Coalition forces. Detainee should have detailed knowledge of ACM radio procedures, devices used to make IEDs, and ACM safe houses.

**d. (S//NF) Areas of Potential Exploitation:**

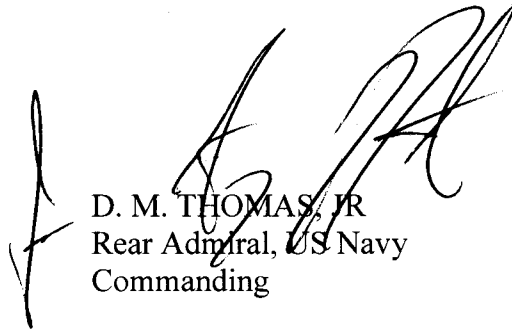
- HIG cell structure, communications, members, and operations in Afghanistan
- ACM individuals:
  - Mullah Zabit Jalil
  - Mullah Obaidallah
  - Mullah Akhtar Muhammad Osmani
  - Noor Agha
  - Mullah Dadallah
- ACM safe houses, weapons cache and acquisition
- Iranian personnel and support
- ACM and al-Qaida associations
- Terrorist operations in the CENTCOM AOR
- Terrorist/foreign fighters – movement and logistics
- Terrorist recruitment of juveniles



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**9. (S) EC Status:** Detainee's enemy combatant status was reassessed on November 15 2004, and he remains an enemy combatant.



D. M. THOMAS, JR  
Rear Admiral, US Navy  
Commanding

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\* Definitions for intelligence terms used in the assessment can be found in the Joint Military Intelligence College October 2001 guide *Intelligence Warning Terminology*.