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Summarized Detainee Statement

Tribunal President: Sobit, I understand that you have asked for a witness?

Detainee: Yes.

Tribunal President: Your witness is here.

Detainee: Yes, he is in this place.

Tribunal President: We will bring the witness in after we talk to you. We would like to review the allegations on the Unclassified Summary, and then we will ask you questions, and then we will bring in the witness. We will ask the witness questions and then you may ask the witness questions. Do you understand?

Detainee: Yes.

Tribunal President: Sobit, you may now present any evidence you have to the Tribunal, and you have the assistance of your Personal Representative in doing so.

Detainee: Well, previously I told the Personal Representative, and he can explain everything.

Tribunal President: Okay. Do you want to comment after the Personal Representative makes his responses?

Detainee: Whatever I told him earlier or before the Tribunal, I want him to explain everything.

Tribunal President: Would you like to make a Muslim oath?

Detainee: Yes, I do.

The Detainee was sworn using the Muslim oath.

Tribunal President: Personal Representative, would you please assist us with reading the allegations?

Personal Representative: Yes, ma'am.

3.a. The detainee is a supporter of the Taliban and /or Al Qaida.

Personal Representative: He said this is not true.

Detainee: Yes.

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3.a.1. The detainee was recruited by the Islamic Movement of Uzbekistan (IMU) to work in Tolidara, Tajikistan.

Detainee: Yes, I was there.

Personal Representative: Yes, he was not aware that the organization was the Islamic Movement of Uzbekistan.

Detainee: Yes, I didn't know about it.

Personal Representative: He further said that he thought he was going to join the Tajik army as a member.

Detainee: Yes, in Tajikistan.

Personal Representative: And the man who lied to them about this was named Rostam.

Detainee: Yes.

Personal Representative: He is not aware of any Uzbekis in Tajikistan.

Detainee: I didn't know.

Personal Representative: Yes, and so when we referred to the Islamic Movement of Uzbekistan, he is not aware of them existing in Tajikistan.

Detainee: Yes, I did not know.

Personal Representative: And there were three people in this group who were lied to.

Detainee: There were three of us.

Personal Representative: Yes, and one of them will be a witness today.

3.a.2. The State Department lists the IMU as a foreign terrorist organization.

Personal Representative: He has no knowledge of this organization.

Detainee: When I went there, I did not know, and I was not aware.

Personal Representative: He first heard of the organization when he arrived in Afghanistan.

Detainee: Yes.

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3.a.3. The detainee was then transported by helicopter from Tajikistan to Afghanistan in January 2001.

Detainee: I did not want to come to Afghanistan.

Personal Representative: Yes, he did not want to go and he did not know what the destination was.

Detainee: Well, they took away our passport, so I was kind of forced to go with them.

Personal Representative: And Zakir was the man who took his passport. Men around Zakir had guns.

Detainee: Yes.

Personal Representative: And it was clear if anyone asked questions, they would be shot.

Detainee: They told me not to ask too many questions. I was asking about my passport and they told me do not ask any more questions.

3.a.4. The detainee spent time at three offices of the IMU while in Afghanistan.

Detainee: Yes, I was there.

Personal Representative: And Konduz, Afghanistan was his first stop.

Detainee: Yes.

Personal Representative: And two days later he was taken to Kabul, and that is where he found out about the existence of the IMU.

Detainee: Yes.

Personal Representative: He wanted, but was unable, to leave Afghanistan.

Detainee: Yes.

Personal Representative: The closest he could get to escaping was to go to a madrasa in Kabul.

Detainee: Yes.

Personal Representative: And for 5 months, he tried to plan leaving Afghanistan.

Detainee: Yes. I wanted to run away.

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Personal Representative: And the teacher at the madrasa, advised him that Mazir-e-Sharif was the place to go to get out.

Detainee: There was another gentleman that came, and he told me to go with him.

Personal Representative: And he spent 3 months in Mazir-e-Sharif trying to get home.

Detainee: Yes.

Personal Representative: And then that is where he was captured.

Detainee: Yes.

3.a.5. While in Afghanistan, the detainee received training on the Kalashnikov, and learned how to assemble and disassemble the rifle.

Detainee: I learned how to use the Kalashnikov in my hometown.

Personal Representative: Yes, he said that all males in the 10th grade in Tajikistan took a one-week camp.

Detainee: Yes.

Personal Representative: And part of that training was firing the Kalashnikov rifle.

3.a.6. The detainee admitted carrying a Kalashnikov rifle and standing guard duty in Afghanistan.

Detainee: That Kalashnikov did not belong to me, but since I was staying at the madrasa, I had to be a guard for the place.

Personal Representative: And this guarding was not as a soldier.

Detainee: It was only for the security of the madrasa. They told us there were a lot of thieves around the madrasa, so it was just for safety and we never even held the Kalashnikov in our hands. It was hanging by the door.

3.b.1. The detainee claims to be an IMU fighter who was expelled from Tajikistan, with other IMU members, by the Tajik government.

Detainee: I never said that I fought for the IMU and I am not part of the IMU. The only thing is I went to the office of the IMU was to get my passport. I did not go for any other reason.

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Personal Representative: And he also said that he has never fought against the United States.

Detainee: Never. I never fought against any country.

Personal Representative: And he later learned that it was the Tajik government that provided the helicopter to take him from Tajikistan to Afghanistan.

Detainee: Yes.

3.a.2. After spending about nine months in Afghanistan, the detainee was captured by General Dostum's Northern Alliance forces in November 2001.

Detainee: Yes, that's correct.

Personal Representative: He said that was true.

Personal Representative: That summarizes our discussions from the unclassified evidence.

Detainee: Yes.

Tribunal President: Sobit, would like to add anything else to those comments?

Detainee: No, there is nothing.

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

Personal Representative: No, ma'am.

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

Recorder: No, ma'am.

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

Member: Yes, ma'am. Who else were you captured with?

Detainee: When I was captured by the Afghans?

Member: By Afghans. By the Northern Alliance. General Dostum.

Detainee: It was early in the morning. We were in the room. There were three other people, two I did not know, but the other one was a doctor. Somebody knocked on the

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door, and I opened it, and this person came and without saying anything, he just said, "Who are you?" I told him I was a Tajik, and then he arrested me.

Member: Did he arrest everyone?

Detainee: I did not see who they arrested because they took me right away and removed me from the room.

Member: Okay. That's all I have right now, ma'am.

Member: Were there any fighters at the madrasa at all?

Detainee: They were very young boys.

Member: So what were you doing at the madrasa?

Detainee: We were learning religion. Islamic lessons.

Member: Weren't you much older than the other people attending the madrasa?

Detainee: Yes, I was older.

Member: Then why did they allow you to stay there?

Detainee: Because I did not know how to do the Islamic prayers. So I went there, I wanted to learn how to do pray. I wanted to learn the Islamic rules and prayers.

Member: Did you ever do any fighting against the Northern Alliance or General Dostum's forces?

Detainee: Prior to my arrest, I'd never seen them. When they arrested me, I came to know who they were. Until they arrested me, I never heard of them before, so I had nothing to do with them.

Member: The person that we are going to have as a witness a little later – how was he captured? Was he captured with you?

Detainee: He was arrested somewhere else.

Member: Was he arrested by General Dostum?

Detainee: I believe so.

Member: And he came to Afghanistan at the same time you did?

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Detainee: Almost the same time. Maybe a day or two difference.

Member: So he wasn't on the helicopter with you?

Detainee: No, he was not.

Member: Did you get any type of military training at all in Afghanistan?

Detainee: The only thing they taught me was they showed me how to hold the Kalashnikov and how to fire it. But I knew that, because I learned it in my country.

Member: Who showed you that?

Detainee: It was a man. I don't remember his name.

Member: Was he part of the madrasa, or was he someplace else?

Detainee: I am not really sure if he was studying in the madrasa or not.

Member: So for the three months before you were captured, you were in Mazir-e-Sharif the whole time?

Detainee: Yes, I was.

Member: I have no further questions.

Detainee: Thank you.

Tribunal President: Help me to understand what the madrasa is?

Detainee: It is like a school, where you learn religious education.

Tribunal President: Where did you live while you were attending the madrasa?

Detainee: I was in the madrasa.

Tribunal President: Do you feel like you've ever joined any other organization, like Al Qaida or the Taliban, or any other terrorist organizations?

Detainee: I never heard of Al Qaida before. When I came here, I heard there was an Al Qaida group. In the interrogation, they asked me if I knew about Al Qaida, and I said I don't know. Then the interrogator explained it to me.

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Tribunal President: What did you do when you were visiting the IMU offices. At one time, you said you went to get your passport and you went to two other offices. What did you do there?

Detainee: The President of IMU promised that he was going to return my passport, and that why I was waiting there.

Tribunal President: Okay. That was at the Konduz office, or was it at the Kabul office?

Detainee: I spent the night in (inaudible) while going to Kabul, and there was a family, they were Uzbek, who lived there.

Tribunal President: Okay. The question was, you went to each of these offices to try to get your passport. Which office was it that you stayed to get your passport?

Detainee: I went to the offices, but I did not get my passport.

Tribunal President: You said that you were recruited by someone. What was the man's name?

Personal Representative: Zakir.

Tribunal President: Zakir. What did he say to you to get you to go with him?

Detainee: He took away my passport. He promised me that once everything goes smoothly, we will work for him.

Tribunal President: And at that point you thought you were going to be working for the Tajikistan army?

Detainee: Yes, I was in Tajikistan. I was thinking the same thing.

Personal Representative: As a clarification, Rostam first invited him to join the Tajik army.

Detainee: Yes.

Personal Representative: And then Zakir took his passport and made other promises.

Tribunal President: Okay.

Detainee: Yes.

Tribunal President: Now I understand. Thank you. Do any other Tribunal members have any other questions?

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Member: Just one follow-up. Where were you when you learned about the attacks on the buildings in the United States on September 11, 2001?

Detainee: I was in Uzbek's office.

Member: In what country?

Detainee: Afghanistan.

Member: No further questions.

Detainee: Thank you.

Tribunal President: Personal Representative, do you have any other evidence or does the detainee have any previously approved witnesses to present to the Tribunal?

Personal Representative: Yes, ma'am. Rukniddin Sharipov.

Tribunal President: Okay. We are going to take a brief recess to allow the witness to come in.

The hearing recessed at 1355. The hearing re-opened at 1400. All parties present prior to recess were again present, together with the witness and two guards.

Tribunal President: Rukniddin? Is that correct?

Witness: Yes.

Tribunal President: Do you understand that you are here as a witness for Sobit?

Witness: Yes.

Tribunal President: And that this is not your Tribunal?

Witness: I understand.

Tribunal President: This Tribunal will ask you questions, and also Sobit will ask you questions. And you will be allowed to make any statement that you would like. Do you understand?

Witness: Yes.

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

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Recorder: No, ma'am.

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

Personal Representative: Yes, ma'am.

Tribunal President: Rukniddin, would you like to take the Muslim oath?

Witness: Yes.

The Witness was sworn using the Muslim oath.

Tribunal President: Thank you. Personal Representative, you may proceed.

Personal Representative: How long have you known Sobit?

Witness: Since I was a child.

Personal Representative: And can you tell us about Rostam and him inviting you to join the Tajik army?

Witness: Yes. We met Rostam at the train, and he offered us a job to work for the Tajik army. So we would work for the Tajik army and we will get a military I. D. and also money. We agreed. That's it.

Personal Representative: And when did you realize that you weren't going to be joining the Tajik army?

Witness: Me, personally, I found out in Afghanistan. In Afghanistan I found out.

Personal Representative: How did you get to Afghanistan?

Witness: Is that question for me or Sobit?

Personal Representative: For you.

Witness: Who's Tribunal is that?

Tribunal President: This is Sobit's Tribunal.

Witness: Okay, I am here as Sobit's witness, so those questions are not relevant to me.

Tribunal President: And you are not compelled to answer these questions, but it may help us to understand Sobit's story.

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Witness: Okay, I am a witness for Sobit, not for myself.

Tribunal President: So, do I understand that you do not want to answer that question?

Witness: Okay. Any pertaining to myself, I am not going to answer. But if it is relevant to Sobit's case, I will answer it.

Tribunal President: Personal Representative, do you want to re-word your question?

Personal Representative: Did you travel with Sobit to Afghanistan.

Witness: No.

Personal Representative: Yet you arrived in Afghanistan at about the same time?

Witness: I arrived the next day.

Personal Representative: Did you stay together in Afghanistan?

Witness: We were in jail together.

Personal Representative: Where were you in jail together?

Witness: Sheberghan. There is a jail there.

Personal Representative: That's all I have.

Tribunal President: Do any of the Tribunal members have questions for the witness?

Member: I have one. Were you captured with Sobit?

Witness: No.

Member: No. That's all I have, ma'am.

Member: You found out that you were IMU when you arrived in Afghanistan. Was Sobit also IMU?

Witness: I didn't see Sobit in Afghanistan. I only saw him in jail.

Member: Do you know if he was IMU, like you?

Witness: No, I don't know.

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Member: Did you and Sobit try to go back to Tajikistan once you learned that you weren't going to be joining the Tajik army?

Witness: When I found out, I didn't see Sobit anymore.

Member: No further questions.

Tribunal President: When was the last time you saw Sobit?

Witness: Where?

Tribunal President: When was the last time you saw Sobit, before coming here?

Witness: In Tajikistan.

Tribunal President: And where were you at that time?

Witness: In Lajar.

Tribunal President: Is Lajar a city?

Witness: It is a military base where Rostam took us.

Tribunal President: Okay, was Rostam the person that invited or encouraged you and Sobit to join the army?

Witness: Yes.

Tribunal President: And how did you know Rostam?

Witness: We just met him in the train.

Tribunal President: Did you ever see Sobit receive any military training in Tajikistan or Afghanistan?

Witness: No.

Tribunal President: Sobit indicated that his passport was taken away from while he was at the military base. Can you tell me about that story?

Witness: I don't know how he lost his passport or how it got taken from him.

Tribunal President: Was your passport taken away from you while you were at the military base?

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Witness: Yes.

Tribunal President: Do you why they took your passport away from you?

Witness: They told us that when basic training is over, we will return your passport.

Tribunal President: What type of training did you and Sobit receive while you were at the military base?

Witness: We did not have any training.

Tribunal President: How long were you there at the military base?

Witness: Two weeks.

Tribunal President: What did you do for the two weeks that you were there?

Witness: Who?

Tribunal President: You and Sobit.

Witness: I did not understand the question.

Tribunal President: What did you and Sobit do for the two weeks you were at the military base?

Witness: Just work.

Tribunal President: What type of work did you do?

Witness: I collected wood.

Tribunal President: Collecting what?

Witness: Wood. Fire wood.

Tribunal President: Sobit, was that part of military training to collect wood?

Detainee: No, I did not collect wood.

Tribunal President: What did you do the two weeks you were there?

Detainee: There was wood in the house and we would break them to burn it in the fire.

Tribunal President: Sobit, would you like to ask your witness any questions?

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Detainee: No, I do not.

Tribunal President: Do any Tribunal members have any questions.

Members: No, ma'am.

Tribunal President: We will take a brief recess while the witness is taken out of the room.

The hearing recessed at 1415. The hearing re-opened at 1422. All parties present prior to recess were again present. The witness and the two guards are now absent.

Tribunal President: Sobit, do you have anything else that you would like to add?

Detainee: No, thank you. I do not.

Tribunal President: All unclassified evidence having been provided to the Tribunal, this concludes this Tribunal session.

AUTHENTICATION

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


Colonel, U.S. Army
Tribunal President

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