

The Tribunal President explained the hearing instructions to the Detainee.

Summarized Sworn Detainee's Statement

- **3(a)(1) Detainee's family actively supported the Taliban and al Qaida forces in Afghanistan.**

No. This is untrue. I didn't help them. When they came from the other side of the border, I didn't know they were part of al Qaida. I just provided them with food because they were strangers. In Bagram, I confessed that I did help them, but in Bagram I was very sick and with my belief I will tell you the truth and I didn't help them.

- **3(a)(2) Detainee was apprehended by United States Forces for assisting Anti-Coalition Forces.**

No I did help anyone. I was busy tending to my work. I am a storekeeper.

- **3(a)(3) Detainee was reportedly an enemy of the infidels and non-Muslims and supported the Taliban.**

I swear to God, that I didn't help anyone. I was busy doing my daily work.

- **3(b)(1) The Detainee and his family guarded al Qaida weapons.**

I swear to God, I didn't guard any weapons for them.

Personal Representative: In addition, in our previous meeting he stated (referring to the Detainee), he spent winters in Pakistan and summers in Shakekub Zamad, where he worked awhile. Never did he see any al Qaida weapons. We only have one weapon in our house. Everyone had one weapon to protect them.

Tribunal President: Clarification. Are you reading his previous statement?

Personal Representative: Correct, the previous statement of the Detainee.

Tribunal President: Mohammad Said, is there anything else that you would like to tell us concerning the summary of evidence?

Detainee: I swear to God that I am innocent and this is my speaking the truth. In winters I was going to Pakistan for work and in the summers I was going to Afghanistan. I have never been with the Taliban. I was busy with my work and supporting myself.

Tribunal Member's Questions for the Detainee

Q: How were you captured? The circumstances?

A: I was arrested in my home. I was working on my land. I was irrigating my land and the guards were in my home. As soon as I got into the house, I saw the guards and I went to them and said hello. They pushed me to the ground, covered my head with a bag and took me to Bagram. They also took my father, my brother and two other guys. I stayed in Bagram until they transported me to Cuba. I am swearing to you that I was doing my work and was busy supporting myself and I was in Pakistan and the hot season I went to Afghanistan. I didn't support Taliban or al Qaida; I didn't know them.

Q: So you were in Afghanistan at the time?

A: Yes.

Q: You said the guards were at your home when you were arrested. What kind of uniforms were they wearing? Were they local militia? US? Who were they?

A: They wore dark military clothes; military like. They wore hats and carried machine guns.

Q: Did you recognize them?

A: Yes. They were American.

Q: You said you were busy with daily work. What was your daily work?

A: I have a general store selling screwdrivers, hardware items, scissors and pliers. On the side of the store I sell cassette recorders and tapes.

Q: How old are you?

A: 26 years old.

Q: Do you know when you were arrested?

A: No, I forgot.

Q: Do you know how long you have been here?

A: Approximately, one year.

Q: Do you know who accused you? Do you know of a neighbor that didn't like you?

A: Neighbor or somebody maybe. In Afghanistan during the current situation, people have a lot of animosity. One of the people between them, were pushed and was imprisoned as an enemy combatant of the government.

Q: You said you gave food to people. I just want to clarify because I'm not sure if I got your answer, because you said that you gave food to strangers as they crossed the border, but you didn't know if they were al Qaida.

A: Yes, that is correct. Personally, I didn't give it to them, my little brother handed the food to them.

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- Q: Is that food that you grow on your land or food that you bought at a store?
A: It was food from my home.
- Q: Was it a lot of food or something that you would consider significant as far as quantity? Are you talking cases of food or one or two meals?
A: It was two bread and a small piece of dried, cooked bread.
- Q: This is a follow-up to his question relating to caring or giving food to people that came across the border. Approximately, how many have you helped that came across the border? And let me correct myself, maybe your family helped, not you personally.
A: I don't know about the others but as far as I know we didn't. This was only one person that came into our village and my little brother helped him.
- Q: Can you describe this person a little more in detail? Was he Afghanistan, Pakistan or some other nationality? Is there something else you can tell us about that one person?
A: He was an Arab.
- Q: You said your father, brother and Abdul Rockman (phonetic) was captured, arrested and sent to Bagram. Do you know what happened to your brother and father?
A: No, I don't know what happened to them. But I was told that my father and brother went home.
- Q: The summary of evidence discusses your family. I would like to know a little bit more about your family. I know you have a brother and a father. Do you have other brothers?
A: Yes.
- Q: How many and what do they do to support themselves?
A: We are four brothers. When my brothers were little before these situations at the time of cold season, we were going to Pakistan. One brother stayed at home, one brother took care of the land and two went to work. And when the hot season came we went back. Lately, my brother and I were working at the general store and one of my brothers would stay at home and the other brother would take care of the cattle.
- Q: Did your brother work with you in your hardware store, in your general store?
A: Yes.
- Q: Your father, what was his occupation? What did he do?
A: My father was at home taking care of the garden and he was busy with his praying.

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Q: Do you know if your brothers or father were associated with Taliban or al Qaida?
A: At the time of Taliban, before President Karsai government, my father worked by collecting logwood and he was selling it to the government. Only our family did not do these jobs, but other people also were doing the same type of jobs and dealing with the government to earn money. It is common in our area because we have a lot of logwood and we collect and sell it.

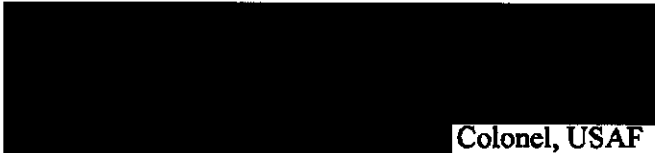
Q: Firewood?
A: Yes.

Tribunal President: Mohammad Said, do you have any further evidence for this tribunal?

Detainee: In here, I don't know anyone from my country. Who ever I'm seeing in here I have never seen them before.

AUTHENTICATION

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

 Colonel, USAF

Tribunal President

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