

Summarized Detainee Statement

The Tribunal President called the open session of the Tribunal to order and went on to explain the Tribunal process to the Detainee. The Detainee had the following question:

Detainee: What is testifying?

Tribunal President: You may speak at this Tribunal.

The Tribunal President continued to explain the Tribunal instructions. The Tribunal President confirmed that the Detainee understood the process and asked if the Detainee had any questions concerning it.

Detainee: When will I swear?

Tribunal President: In just a moment, I'll give you instructions on when to swear.

The Tribunal President continued to conduct the Tribunal by instructing the Personal Representative to submit the Detainee Election form (Exhibit D-a).

Detainee: Is this the paper with my approval or with my consent?

Tribunal President: Yes. You consented to participate in the Tribunal. Is that correct?

Detainee: Yes.

The Tribunal President then instructed the Recorder to provide the Tribunal with the Unclassified Summary of the Evidence (Exhibit R-1).

Detainee: The one that was with the Personal Representative before?

Tribunal President: Yes.

Recorder: In addition, I am handing to the Tribunal the following Unclassified Exhibit marked as Exhibit R-2. Copies of this exhibit have previously been provided to the Personal Representative.

Detainee: It's the same one that's with the Personal Representative?

Tribunal President: Yes. We'll review it in just a second. Recorder, please summarize the nature of the unclassified evidence.

UNCLASSIFIED//FOUO

The Recorder read the Unclassified Summary of the Evidence (Exhibit R-1).

The Tribunal President confirmed that the Recorder had no further unclassified evidence or witnesses to present to the Tribunal. The Recorder then requested a closed Tribunal session to present classified evidence relevant to the detainee's status as an Enemy Combatant at a later time.

The Tribunal President opened the session to the detainee to make his statement.

Tribunal President: Do you want to present information to the Tribunal?

Detainee: Yes.

Tribunal President: Would you like to make your statement under oath?

Detainee: If you don't mind.

Tribunal President: No. We would like for you to do that. Recorder, please present the Muslim oath.

Detainee: Should I stand?

Tribunal President: No, it's not necessary.

The Recorder administered the Muslim oath to the Detainee.

Tribunal President: Mazin, how would you like to present your statement? Will the Personal Representative assist you?

Detainee: Yes.

Tribunal President: Will the Personal Representative be reviewing the allegations, and then Mazin will make a statement based on allegations?

Personal Representative: Ma'am I will present each of the allocations on the Unclassified Summary, and I will provide to the Tribunal the information that Mazin had provided. After, I have reviewed my notes I will give him the opportunity if he would like to add anything further.

Tribunal President: Mazin, I just need you to verify that the information that's being presented by the Personal Representative is what you want us to know. You are allowed to make statements after the Personal Representative has given us the response that's on the paper.

Tribunal President: Proceed.

UNCLASSIFIED//FOUO

Personal Representative: Yes ma'am. Mazin and I met for our initial interview on 21 October. Our meeting lasted approximately one hour. He was very cooperative during the interview. When I presented the Summary of Unclassified Evidence, however, he was in disbelief as to the nature of the evidence. We went over each piece of evidence, one point at a time, and I took notes as to what he had provided me. I conducted a follow-up meeting with Mazin just yesterday. We reviewed the notes that were taken during the first session and made any updates in preparation for today.

The Personal Representative begins going through the allegations on the Unclassified Summary one at a time, providing the Detainee's response to each one.

3.a. The Detainee is associated with Al Qaida.

3.a.1. Detainee's name and telephone number were on a list of Al Qaida members that was discovered on a computer hard drive seized during raids on Al Qaida safe houses in Pakistan.

Personal Representative on behalf of the Detainee: The name on that list was not my name, nor was the phone number. During one of these interrogations approximately one and half years ago, an interrogator showed me a list from the Al Qaida. He showed me a list of the names of people. The rest of the names were darkened out. When I looked at the name, I told the interrogator that is not my name. The name on the list was Salah Al Awfi. That was the name I saw on list, but my name is Mazin Salih Musaid. My phone number is 831-2425. The telephone number on the list was not that number. The interrogator looked into this and came back to me and told me that Allah is with me, this is not your name. In the same meeting.

3.a.2. Detainee, at capture, had in his possession a Casio watch, model # F-91W, which has been used in bombings linked to Al Qaida.

Personal Representative on behalf of the Detainee: I am a bit surprised as to this piece of evidence. Millions and millions of people have these types of Casio watches. If that is a crime, why doesn't the United States arrest and sentence all the shops and people who own them. This is not a logical or reasonable piece of evidence, because I had a watch.

3.a.3. Detainee stated he offered to help the Taliban.

Personal Representative on behalf of the Detainee: I did offer to help the Taliban. Like many Saudis did, to a legitimate government. Like many, I went for humanitarian (sic) and purposes of goodwill. Once I went to Afghanistan, I had later changed my mind about wanting to be back in Saudi Arabia. I did not go to fight. I did not go to kill. I went solely for goodwill reasons. My departure from Saudi Arabia was before any problems happened with America. If had known, I would not have left.

UNCLASSIFIED//FOUO

3.b.1. Detainee stated that he traveled to Afghanistan to fight the Jihad and fought with the Taliban in Kabul from June to December 2001.

Personal Representative on behalf of the Detainee: I did, in fact, state that I went to Afghanistan to support the Taliban, not to fight with them. It says that I was in Kabul from June through December 2001. However, I was in Afghanistan a maximum of four months. Not more than four months. I was in Kabul for less than two weeks. You can verify this through the Saudi government, or any of the paperwork that's required to travel.

Detainee: During our first meeting (with the Personal Representative), we did not discuss the period of June through December 2001. During the second meeting, in the review, it became clear through the translation, the translated document of the Unclassified Summary, which I believe states that I was in Kabul between, sometime between, June and December 2001. The point I want to get across is that during the first meeting, I did not have the opportunity to dispute this piece of evidence on the dates because the translation said I was there *between* June and December. The evidence being presented to this Tribunal says that I was there *from* June to December 2001. I did not even leave for Afghanistan until the sixth month.

Personal Representative: Sixth month? Sixth month of Ramadan?

Detainee: No. Sixth month of the Islamic calendar, which is three months before Ramadan.

Personal Representative: Do you need more clarification on that, ma'am?

Tribunal President: No.

Personal Representative on behalf of the Detainee: Two or three points to walk away with this piece of evidence is one, yes, I did go to Afghanistan; point two is no, I did not go to fight with the Jihad and no, I was not there for the seven month period between June and December 2001. My entire time in Afghanistan was not more than a four-month period. I went with good intentions and then realized things bad were happening and I wanted to get out.

3.b.2. Detainee was captured on the Pakistan border, by border guards, and processed into United States custody in Kandahar.

Personal Representative on behalf of the Detainee: Yes, that is true. I went to Pakistan because I wanted to get back to my country. Because I had no passport, I was trying to get to the Saudi Embassy. I never made it to the embassy and I am here.

Personal Representative: Did I capture the content of our meeting?

UNCLASSIFIED//~~FOUO~~

Detainee: Yes.

Personal Representative: Regarding the evidence, is there anything you would like to add or change?

Detainee: No.

Personal Representative: Then that concludes the presentation of the evidence as reflected in our meetings.

Tribunal President: Mazin, you may present more information if you like.

Detainee: Just that my departure was before the problems, not after the problems.

Tribunal President: Very well. Personal Representative, do you have any questions for the Detainee?

Personal Representative: Ma'am, I just have one question. You stated to me that you wanted to go to the Jihad. Can you explain what Jihad is?

Detainee: The term Jihad encompasses many things. One of these things is fighting. Another thing is helping people. This includes all kinds of help, for example, getting water or giving them food or any kind of humanitarian work.

Personal Representative: That is all, 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?

Tribunal Members' Questions

Q. Mazin, how did you get from Saudi Arabia to Afghanistan?

A. From Saudi Arabia to Pakistan and then to Afghanistan.

Q. Did you get a visa for Pakistan?

A. No. I forgot a point. I'm sorry. From Saudi Arabia to Dubai, and then United Arab Emirates to Pakistan to Afghanistan.

Q. And you had your passport with you when you traveled?

UNCLASSIFIED//~~FOUO~~

A. Yes.

Q. You said that you lost or did not have your passport when you were going into Pakistan. What happened to it?

A. As soon as I entered Afghanistan, in one of the places a person said to me, "Keep this here so that nothing happens to it. So it doesn't get lost or anything. If you wish, you can come back and get it."

Q. Do you remember who that person was?

A. Yes.

Q. Who?

A. Saqer.

Q. Who was Saqer? Why did you give this person your passport?

A. They're the ones that escorted me from Pakistan to Afghanistan. They took me to a house in Kandahar. He said this place would be a safe place for the passport. Because problems might come up, it might get lost or stolen and then you would not be able to return. So I left it with him.

Q. Who else was in the house where you left your passport?

A. There were a few Afghani people, that's it.

Q. Did anyone have any weapons?

A. No.

Q. When you left Saudi Arabia for goodwill, were you traveling with an organization, or were just out by yourself?

A. By myself.

Q. How did you pay for your trip?

A. I was a worker in Saudi Arabia.

Q. While you were in Saudi, did you ever have any military or police training?

A. Yes.

ISN #154
Enclosure (3)
Page 6 of 13

UNCLASSIFIED//~~FOUO~~

000019

UNCLASSIFIED//~~FOUO~~

Q. What type?

A. Military.

Translator: I'm sorry, can I just clarify that, because yesterday a person who said "military" meant "police"? [Translator determines that it was not military training, but police training.]

Q. When you were arrested trying to get to the Saudi Embassy, were you by yourself or were there other people with you?

A. With other people.

Q. Do you know who they were? If you do, who were they?

A. When we got to the borders, there were Pakistani individuals. At the borders, there was a big group, and they all got arrested with me.

Q. Did you know anybody from the group?

A. Now or before?

Q. Before.

A. Those who were with me were the Pakistanis.

Q. You said that your trip from Saudi to Afghanistan was only four months and you were arrested in December. So did you go there in September? Does that sound correct?

A. I don't know the English months.

Q. Okay.

A. If you speak in Arabic months then I would know.

Q. I don't know the Arabic months. That's okay. You said that you traveled to Afghanistan before the problems. What problems are you talking about?

A. What happened to America.

Q. Okay. When you were in Afghanistan, did you ever see any of the bombing or fighting?

A. Fighting no.

ISN #154
Enclosure (3)
Page 7 of 13

UNCLASSIFIED//~~FOUO~~

000020

UNCLASSIFIED//~~FOUO~~

- A. You knew of it. Was I sure, no.
- Q. You said that persons brought you to the house in Kandahar from Pakistan. Who were those people that brought you to the house in Kandahar?
- A. After I arrived at the airport in Quetta they took me. Two of them, they looked Afghan. To the house.
- Q. How did they know to pick up at the airport?
- A. After I arrived in Pakistan. I got to one of the hotels, someone from the outside, an Arab, came to me, he said are you going out to the airport in Quetta? He said as soon as you get there two people will come and get you, they will know you. I don't know how they could have known me. Maybe by my clothes, maybe the man gave them a description. So they came and they got me.
- Q. How did this man know to arrange these people? Did you ask them, or had someone helped arrange your travel into Afghanistan?
- A. No, he did not arrange my trip. Before, a person in Saudi Arabia had given me a number that was in Pakistan. So I called him and then what happened, happened.
- Q. When you were in Afghanistan did you receive any type of military training at all.
- A. No. I did have a weapon. When I got to Kabul someone gave me a weapon. I had a weapon for about four or five days.
- Q. Why did they give you a weapon in Kabul.
- A. He said to me here, maybe you'll need this for protection. I didn't know if I was going to need it or not need it, he gave it to me and then after I was done he took it back from me and said you don't need protection.
- Q. What were you doing at the time that you needed to carry the weapon for?
- A. I didn't understand what their process was when you got into Afghanistan. So he gave me the weapon and I just carried it.
- Q. Was it an AK47?
- A. Yes. I said I know this one because I trained on it in Saudi Arabia. The time period, it was impossible for me to use it. It was only about four or five days.
- Q. Was this at a house in Kabul, where the person gave you the weapon?

UNCLASSIFIED//~~FOUO~~

Q. Was this at a house in Kabul, where the person gave you the weapon?

A. Yes. It's considered a house in Kabul.

Q. Were other people staying at the house, too?

A. Yes.

Q. Did they carry weapons, as well?

A. Some people had and some people did not have them.

Q. Were any of those people fighters that were coming back from the front around Kabul?

A. The people were Pakistanis. It was hard to communicate with them, except for those who knew Arabic. I wasn't able to speak with every one of them.

Q. Was this near the time when you first arrived in Afghanistan, or was this when you were getting ready to leave Afghanistan to go back to Saudi Arabia, when you had a weapon?

A. After I arrived in Afghanistan, in the beginning.

Q. How did you get out of Afghanistan to Pakistan? What route did you take?

A. I don't know the routes in Afghanistan because I was new. But I told them -- one of the people in the group that I was with, the person who was responsible, a Pakistani -- that I wished to go to Pakistan to go back to Saudi Arabia. Before that, I wanted to go back to Kandahar for my passport, and he said it's not possible. So he said, okay, we'll all go to Pakistan. So we went to Pakistan.

Q. Through Jalalabad and then through the mountains?

A. Yes.

Q. The Tora Bora Mountains?

A. I found out from the interrogators that they're called the Tora Bora Mountains. They might have been different mountains, I don't know. I was with the Pakistanis and they were guiding me.

Q. Did you see any fighting at all, or any bombing up in the Tora Bora Mountains when you were going through them?

ISN #154
Enclosure (3)
Page 9 of 13

UNCLASSIFIED//~~FOUO~~

000022

UNCLASSIFIED//~~FOUO~~

- A. No. I can't tell you. You might be talking about mountains that I wasn't in, so I do not know.
- Q. But in the mountains that you were in, did you see any fighting or any bombing?
- A. The bombing, obviously in Jalalabad, we saw it, but it was very far away. In the mountains, I did not see it.
- Q. The people that you were captured with or that you were crossing with. Were any of those people fighters?
- A. They were with me in the same house. I did not know them from before in Kabul. I don't know if they were fighters or not.
- Q. Were they carrying weapons? At any time along the trip, did they have weapons?
- A. Yes, I think so.

Tribunal President's Questions

- Q. You said that you went to Afghanistan to provide humanitarian aid. What type of aid did you provide and to whom?
- A. Truthfully, my time in Kandahar, I was not able to provide anything.
- Q. What did you do while you were in Kandahar?
- A. I sat there. I told them that I wanted to help the Taliban, and he said stay here for a certain time. After I stayed for a few days, he told me "then you can go."
- Q. So it was someone at the house that told you to wait at the house?
- A. Yes, I said that before.
- Q. They told you that you could help with the Taliban?
- A. Yes, because I said I would like to help the Taliban, and he said okay.
- Q. What kind of help did you give the Taliban?
- A. I did not help. I went to Kabul to help. After I got to Kabul, I was not able to help them because the person there said wait, be patient, and then you can help.
- Q. So what did you do the whole time you were in Afghanistan?

ISN #154
Enclosure (3)
Page 10 of 13

UNCLASSIFIED//~~FOUO~~

000023

UNCLASSIFIED//FOUO

A. In Kandahar, I was there for a short while. In Kabul, my time was about two weeks, so I stayed in the house. Based on the fact that I was going to help them, I was waiting for him to tell me what I was supposed to do. But the people were Pakistanis and it was hard for me to deal with them. After a short while, I saw that I had not done anything and it changed my mind. I got scared and I said I would like to go to Pakistan.

Q. You said that while you were in Saudi Arabia, you met someone who told you to go to Afghanistan.

A. Yes.

Q. Who was that person that told you to go to Afghanistan?

A. A friend of mine. My cousin. One of the first reasons for me going to Afghanistan was to bring back my cousin to Saudi Arabia to his family.

Q. Was your cousin in Afghanistan?

A. Yes, he had gone to Afghanistan.

Q. So there were actually two reasons that you went? You went for the Jihad and to bring back your cousin?

A. The first reason was to bring back my cousin. I did not mention this because you were talking about the accusations and there was no need to deviate from those points.

Q. What was the name of your friend and your other cousin in Saudi Arabia?

A. It's in my interrogation.

Q. Can you tell me now? I don't have the interrogation papers.

A. My friend was Abdullah. My cousin's name was Maher.

Q. Abdullah -- is that his first name or only name?

A. Yes, his name is Abdullah. Yes, he has his father's name and his tribe name, obviously, but that's his name.

The Tribunal President asked if the Detainee had any further evidence to present to the Tribunal.

UNCLASSIFIED//FOUO

Detainee: I'm just a little shocked because they told me I would be an enemy combatant to America. I don't have anything to do with these accusations. That I'm involved against the United States of America – I'm very surprised at this.

Tribunal President: Why do you think you are here?

Detainee: Of course I know why I'm here.

Tribunal President: Why?

Detainee: Three years I've been here, and all the interrogations. I know why I'm here.

Tribunal President: You're saying you don't know why or you do know why?

Detainee: I know.

Tribunal President: Why?

Detainee: Because, as far as I know, Al Qaida did things against America.

Tribunal President: Are you Al Qaida?

Detainee: No. Impossible. Also, these are the words of the interrogators, not my words.

The Tribunal President asked if the Personal Representative had any further questions.

Personal Representative: Just one, ma'am, based upon some of the questions that were presented. You went to Afghanistan for what you believed were good reasons. You wanted to help the Taliban for good reasons. Do you believe that the Taliban wanted to recruit you to be one of their fighters? You said no, which is why you might have wanted leave Afghanistan?

Detainee: No. They didn't give anything to do in the first place.

Personal Representative: Right. Okay.

Detainee: Then I changed my mind. I just wanted to return to Saudi Arabia.

Personal Representative: That is all.

The Tribunal President confirmed that the Personal Representative had no further evidence and that the Detainee had no previously approved witnesses to present to the Tribunal.

The Tribunal President confirmed the Tribunal Members had no additional questions for the Detainee and closed the open session of the Tribunal.

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