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Summarized Detainee Statement

Tribunal President: Jamal, you may now present any evidence you have to the Tribunal, and you have the assistance of your Personal Representative in doing so. Do you want to present information to this Tribunal?

Detainee: I wrote information and I gave it to the Personal Representative. I would like to read it.

Tribunal President: That's fine.

Detainee: I want to make sure that he translates as I read it exactly.

Tribunal President: Okay. Jamal, would you like to make your statement under oath?

Detainee: It's up to you.

Tribunal President: It's up to him.

Detainee: I want to be administered the oath then.

The Detainee was sworn using the Muslim oath.

Tribunal President: Jamal, you may begin.

Translator: May I just ask him just to read in shorter sentences, because he wants it exact. You know so this way we can...

Tribunal President (to the Translator): Okay, repeat what I said first, and then say what you need.

Translator informs the Detainee that he may begin his statement.

In the following section of the summarized transcript, the Detainee reads his written statement (attached as Exhibit D-B) to the Tribunal. The statement addresses each point on the Unclassified Summary of Evidence in order. Because the statement does not always indicate the text of the point being addressed, the points from the Unclassified Summary of Evidence are provided below in italics to put the detainee's statement into context. A copy of the translation given in the hearing has also been attached to Exhibit D-B.

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3.a. The detainee has worked for various Non-Governmental Organizations (NGO) with Al Qaida and Taliban connections.

Detainee: They accused me of working for different organizations and there weren't many organizations, there is only one organization, which is Al-Wafa. And even Al Wafa, I challenge anybody to present any kind evidence that I have worked with them. I used to buy medicine for the Al-Wafa organization, and they use to distribute it. I did not take any money from Al-Wafa and they did not pay with any money. I do not know anybody from the Al-Wafa organization. I did not get a paycheck from them and I did not work with them. But people were just, you know, buying, them medicines and I was working with them. And I can prove all that, because I have witnesses. These people, they are here in prison. And you can ask them if anybody knows me from before. If they don't know me and I don't know them, how can I work with them? With the organization? That covers the main point.

1. Detainee admitted he was the director of the Baku, Azerbaijan branch of the Al Haramayn.

Detainee: I was not the director. Working for the Al Haramayn, I was a representative. The director made me a representative until he comes back from his trip. So they can replace the director. I have the witnesses and they are with the Al Haramayn organization. The Al Haramayn organization is a governmental agency. How is it classified as non-governmental and the person in charge is the Minister of the Muslim Association.

Personal Representative: Minister of Islamic Affairs.

2. Al Haramayn is an NGO with known Al Qaida connections.

Detainee: When you are talking about my connection to Al Qaida, I am not the director and I don't know them. I was an employee in one of the offices and they had many offices there. According to my knowledge, I thought that this particular organization is one of the best and the most well recognized organizations in that part of the world.

3. Detainee admitted traveling to Kandahar (AF) in May 2001 to work in the Al Wafa office.

Detainee: I did not go to Afghanistan to work there, I was there just to visit. How can you contradict yourself? One time you are saying that I am a director in one of the organizations and I am traveling to Afghanistan, not to work for Al-Wafa. I went there for two weeks just to find out how the work was done and how the medicine is distributed. I have witnesses for every point that I have discussed.

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4. *Detainee admitted he was the director of the Karachi (PK) branch of Al Wafa.*

Detainee: There's no official office for the Al-Wafa organization in Pakistan. And the people there, before I got there, were doing the same work. There was no director and I was not a director either. I was working for somebody that was in the United Arab Emirates. And you know his name. He is the one that gave me the money and I bought the medicine for Afghanistan. In this case, who would be the director, me or him? Also, I do not work for Al-Wafa. By what reason do you claim I worked for Al-Wafa?

5. *Al Wafa is an NGO with known Al Qaida connections.*

Detainee: As far as you know, Al-Wafa being a non-governmental organization, I don't know that because I never worked with them. I was never given any salaries, and wasn't getting paid from them. You say that it has connection to Al Qaida? I never heard that from anyone else except from you. I didn't see anything wrong that they've done other than charity work. There's a point I would like you to keep in mind. They don't know that the Al Haramayn and Al-Wafa organizations, both of them were operating before the attack on September 11th and before that attack, we never heard that it was a terrorist organization. How would an individual who's looking for work to support his family, know if that organization is a terrorist organization or not? You know that my going to Pakistan, the idea was to get a job to support my family and extended family. I have all the witnesses and they are over here in Guantanamo.

6. *Detainee was apprehended during a raid on his residence on 23 September 2001 in Karachi (PK).*

Detainee: I admit that they apprehended me on September 23rd 2001. They didn't capture me, but some people simply kidnapped me while I was asleep. I was captured with a Pakistani cook. There was nobody else with us. An American interrogator interrogated me, then we were given to Pakistan. That's all they had was me and the cook. They say that they found some documentation or papers indicating some information about weapons. That's false. I had some money, about \$13,000 and furniture because I planned to bring my family over. The Pakistanis found out about my money and furniture, so they accused me of being a sympathizer and wanted to turn me over. During my lifetime, I have never touched a weapon. I have never taken any kind of training or things like that. So where did I get the papers from? They're lies.

7. *Alawi was captured in a facility with other individuals now detained by DoD and information related to weapons, explosives and tactics were found in that facility at the time of capture.*

Detainee: The American Forces did not capture me. They must have been following me and checking up on me and things like that. They are all lies by the Pakistanis so they can take control of my money and possessions. I came to Pakistan with a legal passport and entered legally. I was renting a place and working there because I was trying to bring

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my family over. They can accuse me of a lot of accusations, the Pakistanis, but they wrote that information. It wasn't me that wrote that information. That's all I have to say.

Tribunal President: Jamal, does that conclude your statement?

Detainee: Yes. I answered all the seven points, isn't that true? Do you have any other points?

Tribunal President: Yes we do. We would like to ask you some questions.

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

Personal Representative: No, I do not, Ma'am. We covered everything we covered in the interview.

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 Member: You indicated that it would be hard for someone who is looking for work to support his family to know that Al-Wafa was a terrorist organization, is that right?

Detainee: Yes.

Tribunal Member: But a little earlier before that you mentioned that you did not get a salary from Al-Wafa. So were you working for Al-Wafa and getting a salary or not?

Detainee: I deny that I worked with Al-Wafa because I never took any money from them. But I worked for my work and took my money from the man who gave me the money in the Emirates.

Tribunal Member: Who is the man who gives you the money in the Emirates?

Detainee: Omran Al Owais

Tribunal Member: Could I just ask you to repeat that more slowly?

Detainee: Omran Al Owais

Translator spells name.

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Tribunal Member: Omran Al Owais?

Translator: His name is Omran Al Owais. And he is known - not an alias - everybody over there, knows your name by your oldest son's name. You see, his name is Abu Omran.

Detainee: This guy was working doing the same thing I was doing before I got into the picture. I would need the money, so I asked him if I could do the job.

Tribunal Member: So where did he get the money? Where did Omran Al Owais get the money from?

Detainee: From the Emirates.

Tribunal Member: So was he fund raising?

Detainee: He was a businessman. I don't know if he was fund raising.

Tribunal Member: So Omran Al Owais would send money to you in Afghanistan?

Detainee: Yes, and you can check my bank record.

Tribunal Member: And then what would you do with the money?

Detainee: It was limited to buying medicine for the hospital.

Tribunal Member: Would you work with Al-Wafa? But not necessarily for Al-Wafa, so would you assist Al-Wafa.?

Detainee: I was not working with Al-Wafa.

Tribunal Member: Did you associate with any people that worked for Al-Wafa?

Detainee: When I went to Afghanistan, I saw some people from Al-Wafa. Because when I was there for 15 days, I was in the Al-Wafa organization's offices to find out how they distribute the medicine.

Tribunal Member: Relating to Al Haramayn, there was a time when you were serving as the director's representative while he left the country? Is that correct?

Detainee: Yes.

Tribunal Member: And was Al Haramayn paying you salary?

Detainee: Yes.

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Tribunal Member: And that was in Azerbaijan?

Detainee: Yes.

Tribunal Member: When you visited the Al-Wafa office to see how they were distributing medicine, was that in May of 2001?

Detainee: Yes, that's true.

Tribunal Member: What was name of the person that you were arrested with in Pakistan – the cook?

Detainee: His name is Fadle Rahman [spelled by translator].

Tribunal Member: Fadle Rahman?

Translator: Yes.

Detainee: Even the CIA, I believe they have met with him.

Tribunal member: Was Fadle Rahman a member of Al Qaida or the Taliban?

Detainee: He was a cook and he rented his services to help me and the neighborhood people. He's a Pakistani.

Tribunal Member: But was he a member of Al Qaida or the Taliban?

Detainee: I don't think knew of the Taliban or Al Qaida.

Tribunal Member: Were you at anytime a member of Al Qaida or the Taliban?

Detainee: No, that never happened.

Tribunal member: When you traveled to Kandahar in May of 2001...

Detainee: Yes.

Tribunal Member: Were you going from Pakistan to Afghanistan?

Detainee: Yes.

Tribunal Member: How did you affect that travel? How did you get into Afghanistan?

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Detainee: I went to Karachi, from Yemen, to Karachi, and then from Karachi to Quetta. One of the Afghanis was waiting for me and took me to Kandahar.

Tribunal President: When you bought the medicine, where were you taking the medicine?

Detainee: I take it to Afghanistan.

Tribunal President: Where in Afghanistan?

Detainee: The Al-Wafa organization receives it.

Tribunal President: I'm sorry. I didn't hear you.

Detainee: The Al-Wafa organization receives it because the Al-Wafa organization was the organization that oversees the distribution of the medicine.

Tribunal President: Where did you get the medicine from?

Detainee: It's all from Pakistan.

Tribunal President: Where in Pakistan?

Detainee: From Karachi.

Tribunal President: Specifically, is it a hospital? Is it a store?

Detainee: Medical stores or organizations, they sell it. There are some stores that specialize in medication and wheelchairs and beds and things like that. We were getting it from there. And all the invoices are available to you. And all these stores are very well known stores.

Tribunal President: So, I just need to be clear. It was your responsibility to pick up the medicine and supplies in Pakistan and take it to Afghanistan to Al-Wafa?

Detainee: I want to explain to you. When you work in Pakistan, there were other people before me doing the same work. They organized it in such a way that they will buy the medicine. I was working with another guy whose name is Dr. Iman, who is also a detainee here. And another guy whose name is Jamil. Jamil was set free, he was set free.

Tribunal President: Can he give me Jamil's last name?

Detainee: Jamil Qassem.

Tribunal President: Can you spell that for me please?

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Translator: Qassem.

Tribunal President: Okay, and can he give me the Doctor's full name?

Detainee: Iman Said Da Darfi [translator spells].

Tribunal President: Is this the same place or organization that you said you were a representative?

Detainee: Is your question when I was in or in Al Haramayn?

Tribunal President: Were you a representative at Al Haramayn? Did you have the same duties and responsibilities in both organizations?

Detainee: I never heard anything about that.

Translator: He said he never heard anything about that. I was asking him about the same responsibilities in the two different places and he said he's never heard of Al-Wafa.

Detainee: Al Haramayn organization is a governmental agency I worked for.

Tribunal President: I need to be clear what his duties and responsibilities were for the Al Haramayn.

Detainee: To help the refugees. We had a bunch of projects such as building mosques, taking care of orphans during the fest of Ramadan and the Eid, which follows after Ramadan. Its main purpose is to establish five different camps for the refugees. To distribute all kinds of things, such as food, medicine, so forth.

Tribunal President: Okay, you have described what the organization does. I'd like to know exactly what did you do?

Detainee: I was responsible for overseeing the refugee camp.

Tribunal President: So like a manager?

Detainee: I was not the manager, but I was responsible for it.

Tribunal President: And at the Azerbaijan branch, what did he do there?

Detainee: I was a student studying there and working while I was studying for the Al Haramayn.

Tribunal President: What did he study?

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Detainee: Petroleum Engineering.

Tribunal President: I'm sorry.

Translator: Petroleum Engineering.

Tribunal President: You said that you went to Pakistan to find a job and support your family. What type of job did you have in Pakistan?

Detainee: I was the assistant to Dr. Iman and I was buying the medicine. The guy who was giving us the money would come and see us and then go back to the Emirates.

Tribunal President: While you were in Pakistan, where did you live?

Detainee: A hotel, and I rented a house and that's where I got kidnapped from.

Tribunal President: Do you know who kidnapped you?

Detainee: I found out later that it was the Pakistani government.

Tribunal President: Did the Pakistani government accuse you of anything?

Detainee: To the contrary, the Pakistani government said that they had nothing against me. My work is legal, my staying here is legal, everything is fine with me. You entered in a legal way and you're residing here legally. The United States is watching the Al-Wafa organization along with other organizations.

Tribunal President: Okay, so if I understand correctly what happened when the Pakistani government said he was legal - did they release him?

Detainee: They did not release me. They turned me over to the United States. They took me from Pakistan to Jordan. Four months later, I was turned over to the American government. But I didn't have any problems in Pakistan.

Tribunal President: So the Pakistani government took you to Jordan and turned you over to the U.S. government in Jordan, not in Pakistan?

Detainee: The United States Government is the one who took me Jordan. The Pakistan government told me that the United States would take me to Jordan. After Jordan, I was coming back to Pakistan. And they never told me where I was going. And I found out later on that they had taken me Jordan.

Tribunal President: Does anybody else have any other questions?

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Tribunal Member: Just for the information of the panel, how was he treated in Jordan?

Detainee: I was in Jordan in a cell, but I wasn't mistreated or anything like that.

Tribunal Member: Just wanted to make sure.

Tribunal President: PR, the detainee indicated that there were people he'd like for us to talk to verify his story. Did he at anytime, ask you to ask us for a witness?

Personal Representative: No, as I indicated on the form, there were no witnesses requested.

Detainee: Even though we didn't talk about that, I have given you all the information about these people and these are in here.

Tribunal President: Is there anything else you would like to add to his statement?

Detainee: I've told you all I had. The only thing I can say is that they arrested me before the attack. I was sitting in my home. How can you consider me an enemy combatant when I was just sitting in my home? My own home where I was arrested. I am not an enemy combatant, I am a sleeping combatant because I was sleeping in my home.

Tribunal President: Let me make a clarification. You initially said that you were kidnapped, and this time you said you were arrested.

Detainee: It's repeated so many times, they arrest you, they arrest you, they arrest you. That's the thing sticks in your mind. How can you call a person an enemy combatant when you're sleeping in your own home and somebody comes to your home and takes you somewhere and you don't know where that is?

Tribunal President: Has it always been your story that you were kidnapped?

Detainee: I'm using the word kidnapped as synonymous with the word arrested.

Tribunal President: I need to be clear, were you arrested or were you kidnapped?

Detainee: I consider it a kidnapping.

Tribunal President: Do you have any questions?

Tribunal Member: Yes, Ma'am, if I could. He mentioned just a couple of minutes ago where he was arrested/kidnapped before the attack, but it shows here, 23 September 2001. Is he talking about 9/11 or some other attack?

Detainee: Before that.

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Tribunal Member: He was arrested before September 11th, 2001?

Detainee: After.

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: I have just one exhibit and that is the copy marked D-B, which is the same as the sworn oral statement by the detainee.

Tribunal President: I just want to clarify that this is the statement that was read by the Detainee earlier today during this Tribunal.

Detainee: In addition to that, what I have written there.

Tribunal President: All unclassified evidence having been provided to the Tribunal, this concludes the 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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① أدلة لم تكن هذه منظمات ولكن كنا نصل لصالح منظمه و بناء
فما كستات ولم تأخذ تقود من منظمه و فإر أو تتقابل معها حارياً
فكيف تكون نعمل معها ولم تأخذ منها أن أتت وقيل هذا كله لم

أعرف أي شخص من منظمه و فإر قبل أنه آتى إلى ألكستان
① ألام أكن أعمل مديرًا ولكن كنت مشورياً بعد قيام المدير حتى حضر
مدير ألكر و بليتم مراجع منظمه و فإر في الصور

② مؤسسه الحرمين حكوميه والدليل أن مدير الشؤون الاسلاميه في حكومه السعوديه
هو المشرف العام عليها فكيف تكون غير حكوميه و أيا أنا تقولوا أنا لها علاقة
بالعامه أنا لست المدير العام لها بل موظف في رده تابعه و حسب خبرتي
أشياء و معلومات أنجاسه أشرف المنظمات الانسانيه

③ بسفرت إلى أفغانستان ليس للعمل في مكتب منظمه و فإر ولكن للزيارة
و كانت هذه اسرعنا للوفاء على أعمال منظمه و فإر و مؤسساتها الخيره

④ لمنظمه و فإر لا يوجد أي مكتب في كراتشي و كنت هذه شهرين و كان
من قبل من يصل (أي قبل أن أتت إلى ألكستان) لم يكن هناك أي مدير
و أنا بجانب العمل كله بشرف مع مؤسسه في المنظمات منظمه و فإر ارجع للنقطه الأولى

⑤ أولاً منظمه مديرها مسجون و لا أعلم هل هي حكوميه أو غير حكوميه و لكن
أنت تقولون أنه لها علاقة بالقابله و لم أسمع من حيات هذا الكلام إلا
منكم و لم أرى بنى إلى أعمال خيره إن شاء
نعم التي العيف بل في ٢٢ سبتمبر سنة ١٩٧٧ في كراتشي من بين من قبل
المختطفين الحكام الباكستانيين

النقطة كلها كاذبه فانا صبوحا على وجهي و من منظمه الصباغ
بالقنار الخفيه و لم يكن معنا أحد و لم يكن معنا أي أوراق مكتب
أو مقلعه باليار عكسيه و كان تقود مبلغ ١١٣٥٠ دولار و أمانه
السيه الذي جعل الباكستانيين يقولون هذا الاقتار
هو الحكوميه الأمريكيه لم تقبض على بيتي تأخذ عليهم حمل الخفيفه و تأخذ
موجود و ظهر موجود قبيحاً بين الموجود من بيتي و سوف تظهر
اقتار الحكام الباكستانيين و لا تخم يتطوعوه أنه يضواشون تأخذهم و لا يتطوعوه أنه
أنت ذلك

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