

1 Me JOHANNE DOYON:
 2 Bon. Quant à la preuve antérieure, on y réfèrera,
 3 monsieur le juge, je suppose, preuve de telle
 4 date, preuve de telle date.
 5 LA COUR:
 6 Oui.
 7 Me JOHANNE DOYON:
 8 Avec les affidavits correspondants.
 9 LA COUR:
 10 Oui.
 11 Me JOHANNE DOYON:
 12 Parfait. On va passer au témoignage de monsieur
 13 Khadr.

14 * * *

1 A Okay.
 2 Me JOHANNE DOYON, addressing the translator:
 3 You will be there in case.
 4
 5 Q So, Mr. Abdurahman Khadr, what is your status in
 6 Canada?
 7 A I have citizenship.
 8 Q I will ask you to speak louder also.
 9 A I am a citizen of Canada.
 10 Q Okay. Since when?
 11 A Since birth.
 12 Q Since birth. Where were you born?
 13 A I was born in Bahrain, Manama.
 14 Q And when did your parents come to Canada?
 15 A My parents came to Canada around 1975.
 16 Q And do you know the status of your parents when
 17 they came?
 18 A My parents when they came, my father came as a
 19 student and my mother was a refugee.
 20 Q Okay. And your father is from which country?
 21 A My father is from Egypt.
 22 Q From Egypt, okay. And what is his citizenship?
 23 A He is a citizen of Canada.
 24 Q Also, okay. And is he alive right now?
 25 A Not to my knowledge. He is dead.

1 ON THIS THIRTEENTH (13th) DAY
 2 OF JULY IN THE YEAR OF OUR LORD TWO THOUSAND FOUR
 3 (2004), did personally come and appear:
 4
 5 ABDURAHMAN KHADR
 6
 7 Domiciled and residing at 3, Khartoum Avenue,
 8 Scarborough, province of Ontario, heard before the
 9 Court on behalf of Petitioner.
 10
 11 WHO, having been suly sworn on the
 12 Koran, does depose and say as follows.
 13
 14 EXAMINATION BY Me JOHANNE DOYON,
 15 Attorney for Petitioner:
 16 Q Mr. Khadr, we will proceed directly in English. I
 17 will ask you to answer slowly to help the
 18 translator to translate to the people in the room.
 19 I will ask you if you need a translation or only
 20 if necessary.
 21 A No, I understand you.
 22 THE COURT:
 23 Q You will be answering in English. If you need the
 24 interpreter, please translate back and ask him to
 25 intervene.

1 Q When?
 2 A He died on October 2nd, 2003.
 3 Q Where was it?
 4 A In Pakistan on a raid of the compound that he was
 5 in.
 6 Q Okay. In a raid of a compound by whom, for what
 7 reason?
 8 A By the Pakistani army for suspicion that the
 9 compound was an Al-Quaeda compound.
 10 Q Was it the case?
 11 A Not to my knowledge because I don't know anything
 12 about this compound myself.
 13 Q Did you ever go to this compound?
 14 A No.
 15 Q But it was in Pakistan?
 16 A Yes, it was in a tribal area.
 17 Q Okay. When were you separated from your father
 18 before his death?
 19 A That last time I was with my father was in 2001,
 20 November 11th.
 21 Q And what were the circumstances of your separation
 22 from him?
 23 A My separation was that I was moving stuff from the
 24 house. He was fleeing Kabul because of the attack
 25 by the Americans and the allies. We were moving

1 out of Kabul. So I was moving a truck full of
 2 house furniture.
 3 Q Of your house furniture?
 4 A Of our house furniture to Logor which is a
 5 province west south of Kabul.
 6 Q How do you spell the name of the city?
 7 A Logor is L-o-g-o-r.
 8 Q Okay. And it is a city near Kabul?
 9 A It is a province near Kabul.
 10 Q So you were moving a truck from your house in
 11 Kabul to Logor?
 12 A Yes.
 13 Q To where in Logor?
 14 A To our orphanage in Logor. We have an orphanage
 15 there. I was moving the stuff to the orphanage.
 16 Q What was this orphanage? Just explain just a
 17 little bit what it was.
 18 A We had more than one orphanage around Afghanistan.
 19 We had orphanages in a lot of provinces and this
 20 was one of the orphanages.
 21
 22 This orphanage is where students came and spent at
 23 least twenty-five days of the month. They slept
 24 here, they studied and they spent the whole day in
 25 this orphanage. There was almost thirty to forty

1 Canadian organization.
 2 Q And it was what kind of work?
 3 A A relief organization.
 4 Q A relief organization. And he was a director of
 5 this organization?
 6 A He was the director of the Pakistan office.
 7 Q So let's go back and if need be, we will come back
 8 to these organizations. So when you were talking
 9 about the school orphanage, was it the property of
 10 your father or the property of the organization?
 11 A Yes, it was the property of the organization.
 12 Q Okay. So you were moving furniture, private
 13 furniture from your house in Kabul and then
 14 driving to Logor to the school orphanage. And
 15 then? You may continue please.
 16 A And then I went to the orphanage. My father had
 17 not given me money to pay the driver of the truck.
 18 So he asked me to ask someone in the orphanage to
 19 give me money, the principal there. So I asked him
 20 for money and he did not have money. So I was
 21 compelled to go back to Kabul after my father had
 22 insisted that I not come back to Kabul.
 23 Q Okay. So you were forced to do it and it was
 24 contrary to the will of your father?
 25 A Yes.

1 orphans in it and it was run by one principal and
 2 two teachers.
 3 Q Okay. And what was the involvement of your father
 4 in the orphanage?
 5 A My father was the director of the organization
 6 which was running this orphanage.
 7 Q And would you please tell us what is the
 8 organization in question?
 9 A The organization in question is HEP, Health and
 10 Education Project International.
 11 Q Health and Education?
 12 A Project.
 13 Q Project. And this organization was existing since
 14 when?
 15 A This organization started in '96. Before that my
 16 father was working for HCI which is Human Concern
 17 International and then in '96, he was fired from
 18 HCI and he opened his own organization which was
 19 HEP.
 20 Q When did he start to work at Human Concern
 21 International?
 22 A He started working for Human Concern International
 23 in '91.
 24 Q And he was a Canadian citizen?
 25 A Human Concern International is a non-governmental

1 Q Okay. So?
 2 A So I went back to Kabul. On my way back I saw that
 3 there was a flee from Kabul. Everybody was running
 4 away from Kabul. There was a breakdown of the
 5 Taliban government. And when we got to Kabul it
 6 was very insecure in Kabul. So the truck driver
 7 insisted that we sleep over at his house because
 8 my house was in the middle of Kabul and that we go
 9 to my house in the morning. So I accepted and we
 10 slept over at his house.
 11
 12 In the morning we woke up and we got into a car,
 13 in a taxi, and we went to my house and we got off
 14 near my house. And I was walking, me and them, to
 15 my house and that is when I was captured.
 16 Q By who were you captured at that time?
 17 A I was captured by a former Northern Alliance
 18 commander who requested \$20,000 U.S. for my
 19 release.
 20 Q Okay. So he was making a kidnapping?
 21 A Yes, he was. It was a private or a personal
 22 detention or kidnapping because the government
 23 did not have any money.
 24 Q And he was a former commander who was captured?
 25 A The former commander of the Northern Alliance

1 Q Okay. What was his name?
 2 A Northern, the north.
 3 Q Okay. But the name of the...
 4 A His name was Mohammed Zaman.
 5 Q Zaman. So these are the circumstances of your
 6 separation from your family at that time?
 7 A Yes.
 8 Q And you were detained where?
 9 A I was detained in Kabul in Mohammed Zaman's house
 10 for two months and a half.
 11 Q And what happened to get your release at that
 12 time?
 13 A After which he moved me to the Interior Ministry
 14 to use his influence in the Interior Ministry to
 15 get the money from a currency exchange office in
 16 Kabul which had some of our money.
 17 Q Okay. So what happened?
 18 A So the person in the Interior Ministry his name is
 19 General D. Mohammed Djerat***. He is the director
 20 of the Department of Security and Public Order. He
 21 used his power to get the money from the person in
 22 the currency exchange office.
 23 Q So what happened to you?
 24 A Then Mohammad Zaman, as he promised me that he
 25 would release me after he gets his money, he

1 Q Okay. So let's continue. So you were detained. You
 2 were one month and a half a guest.
 3 A And then I was put into lockup, the interior
 4 ministry lockup for a month and a half where the
 5 British Intelligence started to see me and
 6 interrogate me.
 7 Q But do you know how come after a day you were,
 8 after one month and a half or a day you had been
 9 locked up and detained again?
 10 A After the month and a half that I spent as a
 11 guest, after that I was detained for a reason that
 12 I think is because I saw or heard something that
 13 I was not supposed to. I was translating for the
 14 interior ministry and there was people, diplomates
 15 coming to see General D. Mohammed. So I think I
 16 translated things that I was not supposed to hear.
 17 Q Okay. Do you know exactly, do you have an idea of
 18 what you could have...
 19 A Well, there was French Intelligence that came to
 20 see the General and they asked him about a
 21 terrorist suspect that they thought was in
 22 Afghanistan still and his name is Ebrahim and he
 23 didn't have any information. But Ebrahim was in
 24 the tribal area.
 25 Q So you think it is because of that that you

1 didn't. He left me in the interior ministry. In
 2 three days they were deciding where to put me, to
 3 give me to the Americans or what to do with me
 4 when one of the people that worked for General D.
 5 Mohammed recognized me and said that he was
 6 willing to keep me here and that I was peaceful.
 7 So D. Mohammed accepted that yes we should keep
 8 him here.
 9
 10 After that I spent a month and a half in the
 11 interior ministry as a guest and then I was put in
 12 detention for reasons not told to me but...
 13 Q Okay, okay. But for the first one month and a half
 14 at the interior ministry you were a guest?
 15 A Yes.
 16 Q Because someone recognized you?
 17 A Yes.
 18 Q And they paid anyway, the guy had been paid
 19 \$20,000 to release you from...
 20 A Yes. But that is another person. He took his money
 21 and he left. And the general was told that there
 22 is more money, that if he could keep me he would
 23 get more money. And he tried to get more money but
 24 he couldn't. So he was deciding to give me to the
 25 Americans when the person recognized me.

1 were...
 2 A I think it is because of this information and
 3 because of other stuff.
 4 Q Okay. So what happened to you? They put you in
 5 jail and what happened to you after that?
 6 A They put me in lockup for a month and a half and
 7 that is when the British Intelligence came to see
 8 me and interrogated me. Then I was moved from the
 9 interior ministry lockup to the National Directory
 10 of Intelligence, of Security, I'm sorry, National
 11 Directory of Security, that is a department for
 12 intelligence in Afghanistan, in their jail number
 13 3.
 14 Q Okay. But it is under the direction of the
 15 Afghanistan people?
 16 A It is under the Afghanistan people, the
 17 intelligence department.
 18 Q National Directory of Security?
 19 A Security.
 20 Q Jail number 3 you said?
 21 A Yes.
 22 Q Okay. So what happened there?
 23 A From there was when Americans started to come and
 24 see me. They came to see me once every two days
 25 and that is when I started working for the CIA.

1 The FBI were coming to see me too. After I think
 2 two weeks of being in this jail they decided they
 3 didn't want to ask me any more questions inside
 4 the jail so they decided they will take me out of
 5 the jail to a safe house where they can ask me
 6 there. And we went to this house regularly after
 7 that and that is when the Canadian police, RCMP
 8 came to see me.
 9 Q Would you please give us an idea of where we are
 10 now, I mean in time, in a matter of time?
 11 A We are right now in March or April of 2002.
 12 Q Okay. April, March, April?
 13 A 2002.
 14 Q 2002. So this is the moment where you started to
 15 be detained in a private house?
 16 A Yes.
 17 Q A safe house?
 18 A No. I am still detained in jail number 3. But
 19 every time they come to interrogate me they take
 20 me to this house. Actually, the time is around May
 21 2002. I'm sorry.
 22 Q Okay. So in May 2002, I just want to be very clear
 23 with you, in May 2002 they started to take you to
 24 the safe house to interrogate you?
 25 A Yes.

1 audio. So then I accepted and they interrogated me
 2 one full day and then we broke and I went back to
 3 the jail and the next day the whole full day. And
 4 then, after they were finished, they were very
 5 satisfied with the information I gave them and
 6 they promised that they would try their best to
 7 get me back to Canada.
 8 Q Because you did ask them to help you?
 9 A Yes.
 10 Q What did you ask them to do for you?
 11 A I asked them to get me out of this jail and to get
 12 me back to Canada.
 13 Q Did they help you?
 14 A Not, no I don't think so.
 15 Q Okay. And what was the question the Canadians
 16 asked you at that time?
 17 A The Canadians asked me information mainly, mainly
 18 about other Canadians. The information was about
 19 Jaballah, Charkaoui, excuse me, about Jaballah,
 20 Mahjoub, about Amed El-Maati, Ahmad El-Maati, my
 21 father, any Canadian.
 22 Q We will go back again.
 23 A Okay.
 24 Q They asked you about Canadians like Jaballah,
 25 Mahjoub?

1 Q But you are still detained in jail number 3 under
 2 the direction of the National Directory of
 3 Security?
 4 A Yes, the Afghans.
 5 Q And you are there at the National Directory of
 6 Security since when approximately?
 7 A Since probably two weeks before that. So April,
 8 mid-April.
 9 Q Mid-April. So you are talking about the Canadians
 10 now. It was during when, it was around May?
 11 A Yes.
 12 Q Okay. 2002?
 13 A Yes.
 14 Q Would you please describe what happened?
 15 A In the persistence, the Americans were there. So
 16 they were with us when the Canadians were
 17 interrogating me. But there were four Canadians
 18 and there was audio and video recording which I
 19 denied in the beginning because I didn't want
 20 anything on myself to be used against me later or
 21 to be used publicly. I was scared that it might be
 22 given to the media.
 23
 24 And they insisted that this is how the Canadians
 25 interrogate people. They have a video and

1 A Mahjoub, my father, Amed Ahmadi, Ahmed Ahmadi.
 2 Q Who is?
 3 A These are two brothers that live in Toronto. One
 4 of them is now on the list, the American list, and
 5 the other is released in Toronto. He is living in
 6 Toronto right now.
 7 Q They are Canadian citizens the El-Maatis?
 8 A Yes, both of them. And information about other
 9 people among which are Amer, another Amer from
 10 Vancouver that was killed in the cruise missile.
 11 He was with me. We were there both of us at the
 12 camp. And Idriss, I don't know where he was from,
 13 but he was arrested by the CIA in Baku for
 14 planning an attack against the American embassy
 15 there.
 16 Q So is it the total list of the persons you were
 17 asked?
 18 A I was asked about a lot of other people, pictures
 19 and people which I cannot, I don't remember their
 20 names probably right now.
 21 Q And what about Mr. Charkaoui?
 22 A I was never asked about Charkaoui. I don't
 23 remember him, I don't know where he was from.
 24 I don't know.
 25 Q How they ask questions about the camp in

Afghanistan?

A They asked me questions about all the camps.

Q And about the organization of the camps?

A Yes. They asked me questions about all the leaders, the organizations, everything. Any information whatsoever that I might have about Arabs that lived there, the training camps, the schools, anything whatsoever.

Q Yes. Were they asking questions also concerning the guesthouse?

A They asked me questions about the Khalden guesthouse, the Al-Quaeda guesthouse, the Libyan guesthouse, all the guesthouses.

Q Okay. And were they asking questions about the safe house?

A They were asking me questions about safe houses and who stayed there too.

Q And private houses?

A Yes, personal houses, private houses of Al-Quaeda members.

Q And tell us, what did they tell you after the interview, at the end of the interview concerning your collaboration?

A They told me that I was very cooperative and they were very pleased with me and that they will try

1 back to Canada. So he sent me and my mother, or my
2 mother and my other brother. So we came once a
3 year at least one of us would come, two of us
4 would come to Canada.

Q But where were you living permanently?

A Our permanent house was in Pakistan from '85 until
7 '96. After '96 our house was in Jalalabad.

Q Okay. Just a minute. Permanent house, you were
9 living with all your family in Pakistan?

A Yes.

Q Okay. In '96 what was your age?

A In '96 my age was 14, I think.

Q 14 years old?

A Yes.

Q Okay. So then, so you were following your family
16 in Pakistan?

A Yes.

Q So then in 1996 you moved, the family moved?

A The whole, actually there was an incident with my
20 father in Islamabad where he was accused of having
21 connections with people that blew up the Egyptian
22 Embassy in Islamabad. And after that he was
23 released. So he came back to Canada and that is
24 what had my father fired from HCI. And our
25 decision was we would go back to Canada and stay

1 their best and they said that, you know, the
2 information I give them is very good, that they
3 would take it back and for sure, you know, if
4 anybody saw that I was so cooperative, they would
5 try their best to get me back to Canada.

Q And why were you so cooperative?

A Why I was cooperative? Because from the very
8 beginning my life, my old life, I wanted to put it
9 aside and start a new life.

Q What do you mean by that?

A To leave the old life of living without hiding in
12 training camps and having friends from the
13 training camps and from the guesthouses, just
14 leave all that behind me and come back to Canada
15 and live as a normal person.

Q But tell us, before we continue to what you lived
17 in Afghanistan, tell us you lived in Canada first
18 of your life from what time to what time?

A I never lived permanently in Canada except this
20 last time which is from December last year until
21 now.

Q Okay. But before that where were you, before 2001?

A We, the whole family came frequently, yearly, once
24 a year to Canada because my father had to collect
25 the funds and after '96 my father wouldn't come

1 in Canada. And then we decided to go back. When
2 we...

Q How long did you stay in Canada?

A We stayed in Canada for six months tops.

Q Six months?

A Yes.

Q But he was accused in Egypt?

A He was accused in Pakistan.

Q In Pakistan. And what happened with the
10 accusation?

A The accusation was cleared.

Q Okay. The verdict was not guilty?

A There was no verdict at all. He was in jail for
14 five months and it was around the time the Prime
15 Minister of Canada came to Pakistan and the Prime
16 Minister Jean Chrétien used his influence on
17 Benazir Bhutto who was the Prime Minister of
18 Pakistan at that time and then my father was put
19 out on bail and then he came to Canada. And when
20 he went back he went to court and he cleared his
21 bail. Yes.

Q And finally the charges were...

A All removed.

Q All removed, okay. So six months back to Canada
25 and then going back to where?

1 A To Pakistan where we decided we do not want to
2 live in Pakistan any more because of how my father
3 was treated. So we decided to move to Afghanistan.
4 Q I don't understand. How your father was treated by
5 whom?
6 A By the Pakistani, by the Pakistani police and
7 Intelligence. How he was put in jail for no reason
8 whatsoever.
9 Q Okay. So you moved with your family in 1996 to
10 Afghanistan to which city?
11 A To Jalalabad.
12 Q Jalalabad?
13 A Yes, where we got a house in the city and we had
14 a house up north of the city in Al-Quaeda compound
15 which is called Nagim Ulgihad.
16 Q Spell that please.
17 A Nagim Ulgihad is N-a-g-i-m. Ulgihad, U-l-g-i-h-a-
18 d.
19 Q So what is that Nagim Ulgihad?
20 A Nagim Ulgihad was an Al-Quaeda compound in
21 Jalalabad where Osama and all his members stay.
22 Q Okay. Osama himself?
23 A Yes.
24 Q With whom was he living there?
25 A With Osama pretty much all the members.

1 Q And do you know why you did not follow the
2 compound of Osama?
3 A At the point when the compound was being moved my
4 father was not with us. He was in Pakistan. So we
5 had to wait for him to come.
6 Q And when he came what happened?
7 A When he came then the decision was that my
8 father's main office is in Jalalabad and Kabul
9 again is a place where a family like ours can
10 live. But Kandahar is very hard. There is no
11 electricity. There is nothing at all. So he
12 decided to just stay in Jalalabad or Kabul.
13 Q What is your father's main office you are talking
14 about?
15 A The main office of Afghanistan was in Jalalabad.
16 The main HEP office was in Jalalabad.
17 Q HCP?
18 A HEP.
19 Q HEP. Which is?
20 A Health and Education Project International.
21 Q Okay. This was the work of your father?
22 A Yes.
23 Q So okay. So from mid-1997 you stayed in Jalalabad
24 until when?
25 A Until, mid to the end of 1998, probably '98-99,

1 Q We are talking about Osama bin Laden?
2 A Yes, Osama bin Laden and all the members that are
3 around him that are known, and some of them are
4 not known, all lived in this compound.
5 Q So how many people more or less?
6 A More or less two hundred and fifty people.
7 Q So the family was living there also?
8 A Yes.
9 Q Okay. At that time did you have any choice to
10 follow your father?
11 A I was very young so, I mean, I wouldn't say choice
12 but this is where my father went and I went with
13 him because we are a very connected family. But
14 again it would be like no, I didn't have a choice
15 because that is what my father picked and I would
16 have done what he picked.
17 Q Okay. So you stayed in Jalalabad from 1996?
18 A From mid-1996 until mid-1997.
19 Q Okay. And what happened in mid-1997?
20 A In mid-1997 a commander of the Northern Alliance
21 threatened to attack Jalalabad so the Taliban
22 were concerned about Osama and the compound. So
23 they consisted of Osama and his family and members
24 from Jalalabad and Kabul and they moved the
25 compound and we stayed in Jalalabad.

1 around '99. Of course all the times I have
2 mentioned and I will mention are approximate. They
3 are not exact.
4 Q Of course. So around 1999 where did you move?
5 A We moved to Kabul where we rented a house and we
6 were staying in that house from 1999 until 2001,
7 November.
8 Q And during your stay in Jalalabad that started in
9 mid-1996 at the age of 14 years old, what was your
10 involvement in the camps, in the training camps?
11 A My first trip to...
12 Q Because you were very young at that time?
13 A Yes. My first trip to Khaldan I think was in mid-
14 '95 probably, mid-'95. That was my first trip. I
15 was 11 years old, I think, and I am not sure about
16 the time exactly but I know I was 11 at the point
17 that I first went. And then I went there every
18 year in the summer, in the summer breaks, and I
19 spent two to four months there. And again I was,
20 I became famous in the camp for being the youngest
21 trainee to ever come to Khaldan.
22 Q Would you please spell us Khaldan to be sure that
23 we are talking about the same thing.
24 Khaldan...
25 Khaldan... Khaldan... Khaldan mean

1 A Khaldan it doesn't mean anything. It is an area in
 2 Khost, a mountainous area. It is all called
 3 Khaldan and the camp is called after the area.
 4 Q Is it in relation with a group also?
 5 A Khaldan is a group itself. After the training camp
 6 was open there was a group called Khaldan which
 7 was led by Ibn Shiakh Allaby and...
 8 Q Could you please spell that?
 9 A Ibn Shiakh Allaby, I-b-n, Shiakh S-h-i-a-k-h,
 10 Allaby A-I-I-a-b-y.
 11 Q Okay. So he was the leader of the Khaldan group?
 12 A Yes.
 13 Q And what was the purpose of the camp in Khaldan?
 14 A The Khaldan training camp was there only for
 15 training. As I learned later, Khaldan camp was
 16 only there for training. There was a lot of people
 17 that came from Pakistan. A lot of people in
 18 Pakistan send their kids to train in Khaldan. And
 19 there was a lot of people that came from around
 20 the world to Khaldan. And Khaldan's main main
 21 purpose was just to train people.
 22
 23 As I learned later, it was Al-Quaeda training
 24 camps. They owned. They insisted that a person do
 25 something with his training, so kill an American

1 twenty to thirty thousand graduates of Khaldan.
 2 Among these thirty thousand, I mean I think the
 3 only one that is suspected or was trying to do
 4 something is Ressam. And other than that maybe
 5 another one that was in Kenya or Tanzania. But the
 6 rest of them, there were a lot of graduates of
 7 Khaldan and we don't hear that any of them did
 8 anything. But as you see in Al-Quaeda camps each
 9 of...
 10 Q There is a difference between Al-Quaeda camps and
 11 Khaldan camps?
 12 A Yes, and the Khaldan.
 13 Q But what was the purpose of the training?
 14 A The training was only to train people to use a
 15 weapon. That is all. There was no psychological
 16 training. There was only military training as a
 17 militia probably.
 18 Q But what is the idea? I mean, were they talking to
 19 the people over there to explain the purpose of
 20 these practices and the training?
 21 A Well, I think you would have to go more into the
 22 Islamic books to understand that in Islam, every
 23 person is supposed to train at one point of his
 24 life or another. Now that training doesn't have to
 25 be for anything. It could be to just defend

1 or trying to go into suicide bombing. So there was
 2 a lot of mental training in there, in Al-Quaeda
 3 camps and they spent a lot. So they wanted every
 4 trainee to do something.
 5
 6 Khaldan was there only to train people, to train
 7 them to just defend themselves. Because when I
 8 went there I was 11. I don't think they had any
 9 purpose of sending me off to do something. I was
 10 too young. But I was just sent there to learn how
 11 to use a weapon, to learn how to defend myself.
 12 Q And it was a military basic...
 13 A It was a military-based training, yes.
 14 Q Okay. But when you are saying Pakistan people were
 15 sending children...
 16 A A lot of people in my own school were sending
 17 their kids, the kids that were in my school I met
 18 them in Khaldan later. They were sent to Khaldan
 19 too. Again at the same age of 11, 14, 15, around
 20 that age.
 21 Q Okay. But some people say that Khaldan is a
 22 terrorist camp.
 23 A Khaldan, the way I said before, Khaldan was only
 24 there to train people. People later left and did
 25 something. I mean I could say there was at least

1 yourself, to defend your family, to defend your
 2 money, any of that.
 3
 4 So their training was not there for the purpose to
 5 go after America or anything. Their training was
 6 just there. And then people from there went back.
 7 I know a lot of people that are living in the West
 8 and are living in Canada and that live their
 9 everyday life now and are not under arrest or
 10 anything that have been to Khaldan.
 11
 12 So Khaldan was, I think, only military training.
 13 And after that if someone did something, that was
 14 from their own mentality.
 15 Q So you said you went to Khaldan camp from which
 16 year, every summer you said until?
 17 A In '94, I think the summer of '94 then '95 before
 18 my father was arrested and then I didn't go until
 19 he came back to Pakistan, to Pakistan from Canada
 20 and then I went to Khaldan in '97, I think. And in
 21 '98 I went to, that is the first time, I went to
 22 an Al-Quaeda camp which was Jihad Wel Al Farooq.
 23 We were bombed seven days after I got there.
 24 Q But did you go to Khaldan camp in '98?
 25 A Yes. I went to Khaldan camp in '98. After it was

1 bombed I went back to Jalalabad and then I went
2 to, I went back to Khaldan.

3 Q And when you went there each year, in '94, '95,
4 '97, what was the purpose of your presence there?

5 A Again, there is a lot of courses in Khaldan and to
6 take them you need to spend at least eight months
7 there. To like fully graduate from Khaldan you
8 need eight months to a year. So every time I went,
9 I told you I could only spend two months, and two
10 months is only enough for one course.

11 Q So each year it was to take training?

12 A One course, yes.

13 Q Okay. And you said you make a difference between
14 Khaldan and Al-Quaeda camps?

15 A Yes.

16 Q Would you please tell us what is the name of the
17 camps in Afghanistan around that time until
18 August?

19 A Until August?

20 Q Until 1998.

21 A Yes. Until August there was Khaldan. There was
22 Jihad Wel. There was the Farooq training camp.

23 There was Deronta. There was Badr (sic) and other
24 training camps that were often small ones not so
25 big and not so famous. But these are the main ones

1 training, you know. So I was sent there in August,
2 actually September -- no, August. August of that
3 year.

4 Q Which year?

5 A Of '98.

6 Q Okay.

7 A Before that I was sent from Jalalabad. So I spent
8 two weeks in the guesthouses in Kabul and then two
9 weeks in the guesthouses in Khost before I went to
10 the training camp.

11 Q Okay. So you trained there?

12 A Well, I was there for seven days. I think I went
13 into class only once. I wasn't there long enough
14 and then it was bombed by cruise missiles. This is
15 in the '98 cruise missile attack.

16 Q Okay. What was your age in 1998?

17 A I was 16 probably.

18 Q 16. And was it your decision to go at Jihad?

19 A No, my father sent me.

20 Q And did he tell you why?

21 A To train, to train in a real camp. Because even
22 the people at Khaldan when there was talk about
23 the Al-Quaeda camps, there would be talk about,
24 you know, this great camp, you know, that anybody
25 that can go to would be so lucky. Yes.

1 the ones I just mentioned.

2 Q So it was six?

3 A More than, probably eight, eight or nine training
4 camps.

5 Q And what were the camps you went to?

6 A I went to...

7 Q You went to Khaldan. You went...

8 A Jihad Wel. I went to Farooq. One of the camps I
9 didn't mention was Deronta, I'm sorry, earlier.

10 Q Yes, you did.

11 A I mentioned it, okay. Deronta I went there only
12 once as a visitor, not to train, with my father in
13 '99 I think. These are the four training camps I
14 have been to.

15 Q Okay. So including Deronta?

16 A Yes.

17 Q You called it Jihad what?

18 A Jihad Wel.

19 Q Jihad Wel, okay. And what was, you explained about
20 Khaldan, what was the purpose of your presence at
21 Jihad Wel?

22 A I was sent to Jihad Wel because my father thought
23 I was the only one who was able to go to
24 sent to the training camp. I was the only one
25 mental, you know, training and psychological

1 Q But the Al-Quaeda camps would be Jihad Wel?

2 A Farooq.

3 Q Farooq.

4 A And Badr.

5 Q And Badr.

6 A Deronta and Khaldan are from the same group.

7 Q The same group of what?

8 A Of Khaldan. The Khaldan training camp and the
9 Deronta training camp are both from the Khaldan
10 group.

11 Q Oh yes, okay, I understand. When you were talking
12 about the group...

13 A Yes.

14 Q ... different than...

15 A Than Al-Quaeda. Khaldan only collided with Al-
16 Quaeda. It became the same group after the
17 September 11 attacks.

18 Q So okay. Except from going there for your
19 training, were you in contact with the people of
20 this camp, of these camps and if yes, in what
21 circumstances?

22 A Very regularly, even in Pakistan, and after that
23 in Afghanistan. It was in Kabul. I always
24 went to the training camp. I was the only one
25 group in Afghanistan was a guesthouse and in

use...

Q Every camp?

A No, every group has their guesthouse.

Q Okay. So Al-Qaeda does have its guesthouse, Khaldan?

A Have their own guesthouse. I went to these guesthouses regularly because I knew a lot of people there. I had a lot of friends that were training or either coming back from training and going back. So I went there regularly on a -- twice a week or three times a week basis.

Q At that time your house, your residence was in...

A Yes, this is in '98, it was still in Jalalabad, yes.

Q Jalalabad?

A Hmm hmm.

Q So what was the distance between the guesthouse in question and your home?

A The guesthouse and my home were at least ten miles away, not farther.

Q Okay. And tell me the guesthouse of Khaldan, what was the name of the guesthouse of Khaldan?

A Madafit Khaldan.

Q Could you please spell it?

A M-a-d-a-f-i-t Khaldan.

Q Okay. And this guesthouse was receiving the people from which camp?

A This guesthouse was receiving anybody that was going to go to Khaldan or to Deronta. They are receiving them when they are coming or receiving them when they are going back. But any person that went to these training camps, to Khaldan or Deronta, had to, you know, sleep to, you know, go to these houses either on his way in or on his way out.

And why, because travel in Afghanistan is very hard and you cannot travel a distance between Kabul, Jalalabad and Khost and then continue after that. The roads are very bad. So it would take you all day long to get from Khost to Jalalabad. So people would just stay there for the night.

Q Okay. Because you are mentioning Khost, Host?

A Khost. Khost is a province where the training camp is.

Q All of them?

A Until '98, yes, except for Deronta which was always in Jalalabad.

Q Okay. And Khaldan also?

A And Khaldan also.

Q What was the distance between Khaldan and Jalalabad?

A The distance is two hundred miles.

Q And Deronta and Jalalabad?

A Deronta and Jalalabad was fifteen to twenty miles.

And by the way, I am not sure of the distance between Jalalabad and Khost exactly but I am presuming that it is two hundred, maybe less or more.

Q So you were going at the guesthouse on a regular basis?

A Yes.

Q And what about the camp, the training camp?

A The camps again, as I told you, I went once a year and then until after, until '98 that is when I went to the other camp and then I went to Khaldan. Then in '99 I went to Khaldan almost three times.

Q Okay.

A Yes. But before that it was on a yearly basis.

Q And what was your information about the people attending the training?

A The Khaldan camps.

Q The Khaldan camps or the Deronta camps.

A Well, I mean we regularly got information if there was any Canadians. In a lot of cases these

Canadians would stay at our house before they would go into Afghanistan. Otherwise, if they didn't stay in our house, then we would know that there is a Canadian coming, you know, to go to Afghanistan and he is going to Khaldan or he is going to the guesthouses. He is going to be there tonight or something like that.

Q But why was it like that?

A The environment in Afghanistan is like this.

Everybody else is an Arab. We were the only Canadian family and we are the most famous Canadian family. My father is called Abu Ahmed Al Kanadi which means...

Q Al Kanadi which means?

A The Canadian. It means the Canadian. So again, in Afghanistan there is a lot of Arabs and the environment was like this that there was a lot of talking. If anything happened you would find out about it very very fast. People have the habit of talking about things, you know, taking over, you know, if there is something happening you would find out about it very soon. And then especially in the case of someone that was a Canadian, we would know about them right away.

Q So were you in contact with a person from Canada?

1 A I had a lot of friends that were Canadians and
2 that came to Afghanistan and went to training.
3 Some of them are dead now and some of them are
4 back in Canada and some of them are under arrest.
5 Q People that you have met there for the first time?
6 A Yes, people that I have met there, Canadians that
7 I have met there the first time. And some of them
8 came to our house and some of them I just met
9 coincidentally. I was told that there was a
10 Canadian and then I went to the guesthouse or to
11 the camp and I met them there.
12 Q Okay. It was your intention to be in contact with
13 these people when they were coming or...
14 A Well, a lot of these people, some of them could
15 speak Arabic so they could communicate with the
16 rest of the people but some of them couldn't. So
17 they would, I mean they would really like to find
18 someone that spoke English so they could speak
19 too.
20 Q So how many trainees could have been in the same
21 camp at the same time?
22 A Depending on the time but...
23 Q More or less.
24 A More or less fifty to eighty people, yes.
25 Q By camp?

1 everybody knew him. So I knew his name and
2 everything.
3 Q But does he know the real names of the person...
4 A Not the person watching the guesthouse but the
5 person in the training camp. So the only people
6 that would know the real name of a person that was
7 coming to the training camp would be the leader of
8 the training camp and maybe a second person. But
9 usually it is only one person that knows the real
10 name which, in the case of Khaldan, it would be
11 Nisher el Libi***.
12 Q Okay. So during the year 1998 did you go to the
13 guesthouse of Madafit Khaldan?
14 A Yes. I went regularly every year.
15 Q Okay. But I am talking about the guesthouse.
16 A Yes.
17 Q Not the camp.
18 A Yes, to the guesthouse, yes.
19 Q In 1998?
20 A Yes.
21 Q So could you remember, could you tell us as
22 precisely as you can you went there on which
23 basis?
24 A At that time?
25 Q Yes, '98.

1 A By camp.
2 Q Okay. And you are telling us that they were
3 travelling in or out at the guesthouse?
4 A Yes. Coming through they would stop by the
5 guesthouse. If they don't stop by when they are
6 coming through, then they stop by when they are
7 coming back.
8 Q And...
9 A And there was usually a circulation of trainees.
10 There wouldn't be the same trainees at the same
11 time. So there would be a trainee that would be
12 moving to another training camp or to the
13 guesthouse. So every trainee that left Khaldan
14 would like to stay, would like to go over to the
15 guesthouse to see if any of his old friends from
16 the camp were there.
17 Q But the persons were not hiding their presence
18 over there?
19 A They are hiding their presence by changing their
20 names. And after that they tell you where they are
21 from but they wouldn't tell you exactly from where
22 or what their real names are.
23 Q And what about the person in charge of the
24 guesthouse?
25 A Well, the person in charge of the guesthouse

1 A Again twice a week, three times a week.
2 Q For sure?
3 A Yes.
4 Q Okay. What could you say about Adil Charkaoui?
5 A I haven't seen Adil Charkaoui. I will first start
6 by telling you who I know, Canadians that came to
7 Afghanistan at that time or left back to Canada.
8 One of them is Ahmad El-Maati. He left in '98 back
9 to Canada. He was in a training camp. He came back
10 to Pakistan and he left. His brother Amer came in
11 that time.
12
13 There was another Amer, the one that is from
14 Vancouver, who was killed in the attacks, the
15 cruise missile attack. He came in that time. And
16 there was a third person, the person that I told
17 you that was then arrested in Baku. But he came
18 either really earlier in '98 or at the end of '97.
19 But those were the four people that I knew that
20 came from Canada.
21 Q Okay. And what about Adil Charkaoui?
22 A I never met Adil Charkaoui and I don't know. I
23 don't even see his picture.
24 I have never seen him before.
25 I have never seen him before any here. This is my

1 first time to see him.
 2 Q Okay. Did you identify a photo before the present
 3 day?
 4 A The only time I was shown his picture was by
 5 yourself.
 6 Q In your declaration under oath?
 7 A Yes.
 8 Q So you never heard about him in Afghanistan?
 9 A I have never heard about him and I have never met
 10 him.
 11 Q Okay. I will show you your declaration under oath.
 12 This is your signature. Is that right?
 13 A Yes, this is my signature, yes.
 14 Q Okay. Do you declare -- it has been translated by
 15 Hind Charkaoui?
 16 A Yes.
 17 Q Do you declare that all the information inside
 18 this declaration is the truth?
 19 A Yes, it is.
 20 Me JOHANNE DOYON:
 21 So we will, on va le déposer sous la cote R-6.
 22 PIECE R-6: Affidavit de monsieur Abdurahman
 23 Khadr en date du 2 juillet 2004.
 24
 25 Q How can you be sure that Mr. Charkaoui was not in

1 Q Why?
 2 A Because as Canadians, a lot of people that came
 3 from Canada, they came because of my father or
 4 because of our family, that there was this family,
 5 Canadian family that was living there. So they
 6 came through our family.
 7
 8 Or when they got to Pakistan they were sure to
 9 come and see my father, to come and meet him. So
 10 I would have for sure met him or heard that there
 11 was a Canadian at the time.
 12 Q Okay. So what was the attitude concretely of the
 13 persons when you were meeting them at the
 14 guesthouse, for example? Could you give us...
 15 A Well, first thing, when I went to the guesthouse
 16 everybody recognized me. So everybody started to
 17 call me Abdurahman Kanadi. So everybody would say
 18 Abdurahman Kanadi, which means Abdurahman the
 19 Canadian. Then I would go around and say, you
 20 know, say hi and shake people's hands around the
 21 guesthouse and meet new people.
 22
 23 I would sit with anybody that was interested to
 24 talk to me or anybody that I know and then I would
 25 sit there for half an hour or an hour, eat dinner

1 Afghanistan in a camp?
 2 A If Charkaoui was in Afghanistan I would have heard
 3 about him. If I had met him that is for sure
 4 because, as I told you, we as a Canadian family
 5 had the curiosity to go and meet any Canadian that
 6 was coming to Afghanistan or Pakistan. I would
 7 have heard about him in Peshawar. When I mean
 8 Pakistan, when I say Pakistan in Peshawar. But in
 9 Afghanistan I would have surely either seen him or
 10 heard about him.
 11 Q And when you are saying that, you are so sure of
 12 this fact?
 13 A Yes. I am sure that if Charkaoui was there and if
 14 he had described himself as Canadian, I would have
 15 known about it.
 16 Q But if not?
 17 A If he hadn't described himself? I mean, as I told
 18 you earlier, everybody told where they were from,
 19 you know.
 20 Q They were not hiding this?
 21 A They weren't hiding where they were from. So he
 22 would have told where he was from. And there was,
 23 again, there was a curiosity on our side to go and
 24 see if a Canadian was there and there was a
 25 curiosity on the side of the other person.

1 maybe and then leave, go back home.
 2 Q So they were open and...
 3 A Everybody was very open, especially with me.
 4 Q And you identified a photo which was attached to
 5 your affidavit. You said we use the photographs
 6 inside the resumé of the court?
 7 A Yes.
 8 Q You never saw these photos before, I mean before
 9 you...
 10 A Before you showed it to me I was never, no.
 11 Q Any other photos of Mr. Charkaoui before?
 12 A I haven't seen any other pictures either.
 13 Q Okay. And when you met with the Canadian
 14 authorities in 2002 in Afghanistan they did not
 15 ask you...
 16 A It was the same thing. I was never asked about
 17 Charkaoui or shown any picture of him. And just
 18 because they brought that up I was shown a picture
 19 of Ressam and I was asked about him.
 20 Q Okay. You mean in May 2002?
 21 A In May 2002.
 22 Q So okay. Before I have asked you why did you,
 23 because you were captured in 2001, you were under
 24 the arrest of National Directory of Security and
 25 then you met the Americans at that time?

1 A Yes.

2 Q Why did you decide to collaborate with them?

3 A Why I decided to collaborate with the Americans?

4 As I mentioned before I just wanted to put my old

5 life behind me and to start a new life, one

6 reason. The other reason because this was the only

7 way out.

8 Q What do you mean?

9 A The way out of detention. The way to go back home.

10 Q Okay. And what kind of collaboration did they ask

11 you to provide?

12 A Any information whatsoever about any member,

13 names, pictures, times, something that happened

14 somewhere, any information whatsoever. And I went

15 outside with them on missions where I showed them

16 the Al-Quaeda guesthouses, the safehouses, the

17 private houses of Al-Quaeda members. One time they

18 put me in a cell with an Al-Quaeda, what they

19 called Osama bin Laden's right hand because they

20 said he was not talking and that they wanted me to

21 see if I could get any information out of him or

22 to at least make him talk.

23 Q And where was this?

24 A This was in Kabul.

25 Q In Kabul. And it was the cell of whom, the person

1 A Of course the interrogator told me that he would

2 use a way of slapping me and hitting me on the

3 face just to show him that, you know, I am being

4 detained too so when he puts me back with the

5 person the person would talk to me. And he was

6 hitting him and hitting me, both of us trying to

7 make him talk. Now this interrogator is an

8 American interrogator.

9 Q Okay. And could you describe when it was?

10 A This is in August or September, probably October

11 of 2002.

12 Q 2002, okay. So they took you from where to go to

13 the cell?

14 A They took me from a safehouse that I was being

15 captive for nine months after they had me sign the

16 paper that I would work for them.

17 Q So we will return back a little bit.

18 A Okay.

19 Q Because you explained to us that you were in jail

20 number 3.

21 A After being in jail number 3 for a month and a

22 half, I was sent to jail number 2 again NDS.

23 Q Also, okay, NDS. Jail number 2 since when?

24 A At the time exactly?

25 Q More or less.

1 you were supposed to...

2 A The person is Reda, Reda Al-Maghrebi.

3 Q Reda Al-Maghrebi?

4 A Yes.

5 Q Okay. Is it the first time that you heard about

6 Reda Al-Maghrebi?

7 A No. I met this person before. I met him around

8 Osama when the compound was in Jalalabad. I met

9 him all the time.

10 Q So he is a person, a high person?

11 A From what I saw, he was always around with Osama.

12 So yes, supposedly he was high.

13 Q And you said it was in Kabul. So you were in the

14 same cell?

15 A Yes. And then we were both taken, because the cell

16 was dark so I could not see him, then we were both

17 taken to an interrogation room where they took off

18 our masks and asked him who I was and he just kept

19 on saying: "I don't know who he is." They asked me

20 who he was and: "Did you see him before?" I said:

21 "Yes, I saw him with my father sometimes."

22 Q Were you together in the same room?

23 A Yes, in the same room. I was in the same room with

24 him. I was in the same room with him.

25 Q Did you...

1 A June, probably beginning of June I was sent there

2 until the end of June. And then on the 1st of July

3 I was put in the safehouse where I spent nine

4 months and where they brought me the paper.

5 Q Okay, okay. Where they brought you the paper for

6 what?

7 A In the safehouse. It was a paper that I was

8 working for the CIA and that I would be paid

9 \$5,000 bonus and \$3,000 a month for working for

10 them.

11 Q When you met the Canadians it was, you said to us

12 it was in May?

13 A May 2002.

14 Q Was it in jail number 3 or...

15 A That was when I was in jail number 3.

16 Q In jail number 3. And you were helping already the

17 Americans?

18 A Yes.

19 Q Were you? Yes.

20 A Yes.

21 Q When did you start in fact to help the Americans?

22 A When I started really to help them in the very

23 beginning. When I was in the safehouse, I was

24 helping them. I was helping them in the safehouse.

25 A Yes, probably in April 2002 when I was...

NDS 3.

2 Q Okay. So since the start you said: "I will
3 collaborate with you."?

4 A Yes, yes. But we only signed the paper -- I signed
5 the paper actually, nobody from them signed it, in
6 July.

7 Q Okay. And the paper was saying that you will be
8 paid and what else?

9 A I will be paid \$5,000 bonus and \$3,000 a month to
10 work for them. And this money would go to a bank
11 account, a CIA bank account in the States and that
12 I would get this money when I finished working for
13 them.

14 Q Did you get a copy of this...

15 A I did not get a copy. This would be a trace that
16 would lead me to them and I am sure the CIA
17 doesn't leave any traces.

18 Q So you didn't get a copy of that?

19 A No.

20 Q Did you get any confirmation about, after that,
21 since then did you have a confirmation from
22 officials, American officials?

23 A Yes, of course. Every now and then they would
24 mention to me that, you know: "We see you are
25 being paid very well. You are going to have a good

1 officers in prison. A CIA spokesman
2 would not comment on this story, but
3 another American official confirmed its
4 broad outlines.»

6 Q So during your detention under the National
7 Directory of Security, you started in April 2002
8 to work for the CIA?

9 A Yes.

10 Q And just to be sure, the work you have done for
11 them was?

12 A Any information, as I said, any information
13 whatsoever. In Afghanistan...

14 Q In a practical manner?

15 A In a practical manner, I identified some people
16 that they did not know. I told them some
17 information about people they did not know. And in
18 Cuba I recognized some people again, as I said,
19 that they didn't know.

20 Q We will come back to Cuba later on. But during
21 that time it was mainly to identify people?

22 A Yes.

23 Q Okay. And how did you do that?

24 A They showed me pictures. I could say I was shown
25 at least ten thousand pictures in the period of

1 life after that. You can take the money and buy a
2 house or do whatever you want to."

4 So yes, they confirmed it to me all the time. But
5 again, I never got my hands on a single cent of
6 that money, a penny.

7 Q To your knowledge, do you know if any official
8 confirmed that you had worked for the CIA?

9 A Yes. There was an article in the New York Times on
10 June 21st in which in it the CIA would not comment
11 on the whole story. But another American official
12 confirmed the broad outlines of my story.

3 Me JOHANNE DOYON:

4 C'est le document qui a été déposé sous la cote je
5 sais plus, je la retrouve plus.

6 LA COUR:

7 R-5 je pense. The Reach of War.

8 Me JOHANNE DOYON:

9 Voulez-vous juste me le passer pour s'assurer que
0 c'est bien le document en question.

2 Q Is this the documentation in question?

3 A Yes. And I will read to you.

4 «Mr. Khadr said he was jailed in Kabul
5 in 2001 and later recruited by the CIA

1 working for them the two years.

2 Q Ten thousand?

3 A Yes.

4 Q And did you, okay, except for this identification
5 of pictures, what else did you do?

6 A Identification of pictures. Well, in Cuba I worked
7 with prisoners but before that, again as I told
8 you, there was a tour in Kabul that we took to
9 show them the safehouses and the guesthouses.

10 Q A tour?

11 A Yes.

12 Q What is that?

13 A Which was called by the CIA, they called it «The
14 Ricky Tour» because my name was Ricky. It was a
15 tour that I think they had people come from
16 Washington to go on this tour. They had people
17 come from Bagram, from the military, to come and
18 see this tour which we went around Kabul and I
19 showed them safehouses, guesthouses and the
20 private houses of Al-Quaeda members.

21 Q Okay. So you participated in that?

22 A Yes.

23 Q And we understand that after that you had been
24 moved to a place that you mentioned as a
25 safehouse?

1 A Yes.

2 Q What is that a safehouse?

3 A Well, it was just a normal house in Kabul but I

4 was under house arrest in this house. There were

5 six guards to keep me inside, not to keep me

6 inside just to, actually just to watch my

7 security. And I was there for nine months.

8

9 Their plan was that they would send me to

10 Pakistan. And then at the end of these nine months

11 a mistake happened, or a problem came up, and they

12 sent me, they decided they wanted to send me to

13 Cuba. They asked me would I like to go to Cuba and

14 I said yes.

15 Q So what were you doing during the nine months in

16 question?

17 A The nine months in question there was, they

18 polygraphed me to be sure that I am good to work

19 for them. I worked with the sketchers to sketch

20 some of the people they did not have pictures of,

21 people of Al-Qaeda. They brought me pictures to

22 see if I recognized anybody. I went to the house

23 and the one time I went to that cell to be with

24 this other person Reda Al-Maghrebi.

25 Q Okay. So it was until when that you stayed in the

1 A Yes.

2 Q So you were not in good terms?

3 A Things were, you know, crumbling down because

4 until then they were building with me something,

5 you know, that I would go work for them and they

6 were planning everything. And then with this cell

7 phone problem everything went down. The person

8 that was working with me, she told me that: "You'd

9 need to spend at least another year to create that

10 much trust that we have with you right now. So

11 either a year here or six months in Cuba." So I

12 told them: "Okay, I will go to Cuba."

13 Q So why did you take this chance to use the cell

14 phone in these circumstances?

15 A Why I used it?

16 Q Yes.

17 A This is what I told them then and this is what I

18 am saying now. I only used it because I was

19 playing with the cell phone. I never meant to talk

20 to my family at that point. I just meant to use

21 the phone.

22 Q So it was like a mistake?

23 A Just a mistake, yes. And after that they brought

24 a polygraph and they brought psychologists to find

25 out if I was lying or not.

1 safehouse?

2 A I stayed in the safehouse from July 1st until

3 March 10th.

4 Q 2003?

5 A Yes.

6 Q And then what happened to you in March 2003?

7 A I was sent to Bagram. After I talked to the

8 officer that was working with me, they decided

9 that I should go to Cuba. I was sent to Bagram.

10 Q Do you know the reason for the change between

11 Pakistan and Guantanamo?

12 A The difference between Bagram...

13 Q No, not the difference but the reason why they

14 changed the plan.

15 A From Pakistan to Cuba. They got me a cell phone to

16 use and they told me that I should not use this

17 cell phone except to call them. And I used the

18 cell phone to call my sister and my grandmother,

19 my sister in Pakistan, my grandmother here.

20 Q When you were in the safehouse?

21 A At the safehouse. I didn't talk to them but the

22 number came up on the bill so they thought in some

23 way I was trying to get away or you know, arrange

24 information with my family so they thought I was

25 trying to get away.

1 Q Okay. But finally what did they tell you?

2 A They found that I never talked to my family and I

3 never meant to talk to my family. But they said:

4 "Now because of all of this, everything is slowed

5 down. So what would you like to do, spend another

6 year in this house or go to Cuba for three to six

7 months?" So I said: "I will go to Cuba."

8 Q So what happened?

9 A So on March 10th the officer and two marines came

10 and we got into a car. They shackled me up and

11 everything and then they took me to Bagram. They

12 left me outside the base and soldiers were coming

13 around. They were kicking me just to see what my

14 reaction would be to them, kicking me, stepping on

15 my fingers.

16

17 Then they took me inside and they got me naked and

18 they were taking pictures of my face and then my

19 private parts, just constantly taking pictures of

20 my private part.

21

22 Then from there they put me in an orange suit and

23 they shackled me and they put me into a separate

24 where I was in a room. I was in the room for the

25 first time, a concrete and concrete floor.

1 eight hours.

2 Q But okay. So they were not, the persons inside the
3 prison were not informed about your...

4 A No, no.

5 Q ... your duties?

6 A No. This is what I was told too that: "You will be
7 treated as any other detainee so the other
8 detainees can trust you."

9 Q Okay. So would you please describe the treatment
10 in question?

11 A The treatment in Bagram...

12 Q That you suffered or that you saw with your eyes.

13 A Well, I suffered myself. I was shackled, my legs
14 were shackled and the MPs stepped on the shackle
15 so the shackle itself went into my skin. It went
16 all the way to the bone and I was bleeding. And I
17 would show them the blood and they would say: "No,
18 you are okay, you know." And I was there for
19 almost ten, fifteen minutes before -- I had to
20 hold, you know, my wound myself and stop it from
21 bleeding.

22
23 Sexual humiliation. They had us shower in front of
24 each other naked which is something that might be
25 regular in Canada but to us, Muslims and to the

1 Afghan people that live in Afghanistan, it is
2 sexual humiliation. I was checked myself. They
3 check you anus for any diseases but I was checked
4 myself three times in eight days, which I don't
5 think is medical.

6
7 They hang people by shackles to the wall and they
8 keep them like that for three, four days not
9 allowing them to sleep, to even lie down or sit
10 down.

11 Q Is this a treatment that you suffered yourself?

12 A No. This is something that I saw.

13 Q Okay.

14 A Yes.

15 Q You may continue.

16 A They had us put a mask on, on my mouth, and I went
17 to sleep and it went off my mouth. So they had me
18 get up and hold my hands over my head for half an
19 hour. I couldn't hold it so I brought my hands
20 down. So five people came in and they, you know,
21 they bunkered me on the ground and then they
22 shackled me. And they had mepush the toilets, the
23 movable toilets and they were very heavy so I
24 moved two or three of them.
25

1 There were almost twenty of them and I couldn't
2 move them any more. So I kept on falling on the
3 ground and they would just grab me and pull me
4 back up and push me on the toilets again. So that
5 was a very bad experience.
6

7 And one of the times I was being moved from the
8 cellblock to interrogation and there was a female
9 MP on my right and she said something so I smiled.
10 So she said: "If you smile again, I will make you
11 swallow these stairs." So again I couldn't hold
12 myself so I smiled again. So she dragged me up the
13 stairs, all of them, just dragging me up. And I am
14 shackled, so I cannot do anything about it.

15 Q Do you have something else to add about what you
16 saw in Bagram?

17 A This is in Bagram. This is what I saw and this is
18 what I have been through.

19 Q Okay. And what about interrogation in Bagram?

20 A Interrogation in Bagram, again as I went inside it
21 was then the old friends, the people from the CIA.
22 So I was not tortured or anything inside. But
23 outside the interrogation room everything went
24 back to normal.

25 Q Okay. And you were met by the CIA inside Bagram?

1 A In Bagram it was actually a military intelligence
2 person. But he stayed. He was the go-between
3 between me and the people in Kabul with the CIA.

4 Q And what was your discussion at that time in
5 Bagram?

6 A Well, I complained a lot about the treatment I was
7 getting but they said: "We cannot do anything
8 about it because if we do, people would get
9 suspicious." The other detainees.

10 Q Okay.

11 A And this was the treatment of me the person that
12 was working for them. So the people that weren't,
13 it was just undecipherable.

14 Q So you stayed in Bagram how long?

15 A I stayed in Bagram for ten days.

16 Q And?

17 A And then I was, they put us on a flight. Again,
18 the whole experience of moving us from Bagram to
19 Cuba that is a whole torture on its own. They tied
20 us. They tied our hands and our legs and our
21 stomachs and they covered our head, the whole head
22 so you can't see or hear anything.
23

24 They sit you on the ground for twelve hours on
25 concrete in a certain position, you are not

1 allowed to move, cross-legged, your back in a
2 position you can strain it and you can't bend down
3 any more.

4
5 And they kept us there for twelve hours and then
6 they put us in a truck and they put us in that
7 truck for another three hours. And then from that
8 truck they put us in a plane for another seventeen
9 hours.

10 Q And you see nothing?

11 A And you see nothing and hear nothing. And in the
12 plane was a point where I came to just the break.
13 There was people screaming around me and there was
14 people begging for water and nobody was getting
15 anything. And at that point I just wished in my
16 heart that one of these MPs would just go crazy
17 and come and shoot me because I was in so much
18 pain.

19
20 We had goggles on our eyes and because our eyes
21 are covered so the tear is running and the tears
22 went to the goggles. The goggles were just painted
23 new, so the paint came back into my eyes. So it
24 was burning like, you know, like fire. And I was
25 complaining and they were saying, you know: "If

1 hold. So you are in this room alone. You can't
2 talk to anybody. Again, they use this room to
3 torture us. So they put the heat up or they put it
4 too low so we are freezing or we are suffocating
5 because there is no air.

6
7 They put the music on so you cannot sleep. They
8 throw rocks in the block so you can't sleep. They
9 keep on throwing big rocks. There is a hallway in
10 the block and it is a metal block so you hear
11 these loud noises.

12
13 This is pretty much the treatment in isolation.
14 After a month in isolation I was moved to the
15 general population.

16 Q But in isolation were you allowed to go out of the
17 cell?

18 A We were allowed to go out of the cell once every
19 seventy-two hours for fifteen minutes. The death
20 row people get more time than us.

21 Q What?

22 A People on death row get more time than us. We got
23 one fifteen minutes every seventy-two hours.

24 Q Okay. So when you arrived there you had this
25 treatment. And to your knowledge was it the same

1 you move, now you are just sitting, we are going
2 to shackle you to the ceiling."

3
4 And just making threats until I couldn't take it
5 any more and I just pulled my goggle off. And one
6 of them came and just pushed me against the wall.
7 Then two more came and they pushed me against the
8 wall and some person came and he put some water in
9 my eyes and they covered with mygoggles again and
10 that's it.

11 Q So this was in the plane?

12 A This is on the plane.

13 Q On the plane. And?

14 A And then we landed in Cuba. Again we sat on the
15 ground for four, five hours. Then they took us
16 into the clinic. We were checked up and everything
17 and then we were put in isolation for a month.
18 Everybody, anybody who comes into Cuba or into
19 Bagram, in Bagram it is forty-eight hours, in Cuba
20 it is thirty days. For whatever reason, it might
21 be nothing, you will have to spend a month in
22 isolation.

1 treatment...

2 A For everybody.

3 Q Okay. So you were not, they were not informed
4 about...

5 A. Nobody outside the interrogation knows who I am.

6 Q So these treatments were coming from the military
7 police?

8 A The MPs, yes.

9 Q The military police?

10 A Yes.

11 Q So what kind of treatment did you get after
12 isolation?

13 A Then we were moved to the general population where
14 I saw the other types of tortures that were being
15 used on detainees. Again the music, all of this is
16 commanded by the people higher up. So it is not
17 the MPs. The only issue the MPs they threw the
18 rocks. The music, the interrogators told them to
19 do it. They moved a detainee every hour so he
20 couldn't get any sleep. This was done by the
21 interrogators. Then people would come back from
22 interrogation coughing smoke. They would say "I

23 ...if a man ...
24 ...reads ...
25 ...food was ...

1 Q You can say the word.
 2 A With shit and just scrap it on their faces. So
 3 there was all kind of tortures. And then they
 4 would say it is not physical, it is mental.
 5
 6 One of the other ways would be not to take them to
 7 interrogation for six months and then take them
 8 and ask them: "So are you going to talk?" The
 9 person says: "I told you everything I know." And
 10 they say: "Okay, see you in six months."
 11 Q So how did you see all that?
 12 A Moving the detainee I saw that myself. And the
 13 person with the smoke coming out of his ears I saw
 14 that myself. The blood, the person came and told
 15 us they did that to him and there was still blood
 16 on his clothes. So all of this I didn't see with
 17 my eyes but there was proof. There was the gun,
 18 the smoking gun was still there.
 19 Q So what were your duties inside Guantanamo?
 20 A My duty was to talk to other detainees and see if
 21 I can get any information from them.
 22 Q Okay. But how?
 23 A By talking to them, just by talking to them. And
 24 see if I can recognize anybody and then tell the
 25 interrogators about it.

1 he was being ready to be released so they told
 2 him: "Oh, you told everything. You are going to
 3 hell. So if you don't change you are going to go
 4 to hell."
 5
 6 So the next time he went to interrogation he
 7 denied everything so they took away everything
 8 from him and he is still there till now.
 9 Q Because he decided not to continue the
 10 collaboration?
 11 A Not to continue the cooperation.
 12 Q Okay. And during the meetings you had each week
 13 with the CIA, what was the discussion or did you
 14 talk about the treatment?
 15 A The discussion, well, actually it was kind of like
 16 a break. If I had any information I would give it
 17 to them. Otherwise, we would just sit down and
 18 sometimes watch a movie or something. That's all.
 19 Q Did you talk about the treatment you saw there?
 20 A I complained about the treatment all the time and
 21 they would just brush it off or say: "You know
 22 what, these people are terrorists." This and that.
 23 Q But what did you complain about?
 24 A I complained about the rocks, the music, about how
 25 I saw one of the detainees, the interrogators

1 Q Did you have some meetings with the CIA during the
 2 detention in Guantanamo?
 3 A I met them once a week. Again the idea was, in
 4 Cuba, that if you cooperate that is the whole. If
 5 the interrogator likes you, that is the only way
 6 you will get out.
 7
 8 So if you have done, you have killed five
 9 Americans but the interrogator likes you because
 10 you are a nice person or you said a nice joke,
 11 then he writes back to Washington and they release
 12 you. If they don't like you because, you know,
 13 because you are just, you are stupid or you said
 14 something racist and you didn't do ever anything
 15 in your life, then he writes back to Washington
 16 and you stay there for another two years or five
 17 years.
 18 Q But why you are saying that, they told you that?
 19 A Because people, like the person that was being
 20 kept every six months, interrogated every six
 21 months, and other people like my brother.
 22
 23 My brother Omar cooperated with the FBI and he was
 24 ready. They were being ready to release him and
 25 then he was in his cellblock and people saw that

1 didn't like him so they told the MPs, so he was
 2 just coming out of rec, the rec yard and they said
 3 that he elbowed one of the MPs. So five of them
 4 came and started kicking him and there was blood
 5 running out of his head and his face and
 6 everywhere. He had holes because the military
 7 shoes are very hard and they are very big. He had
 8 holes in his head and blood running.
 9
 10 So I complained about that and they would just
 11 say: "You know what, he did something wrong. He
 12 elbowed the MP, you know."
 13 Q But this kind of treatment, hard treatment like
 14 that, you saw that in Bagram in the presence of
 15 Reda Al-Maghrebi also, didn't you?
 16 A With Reda, he was in a cell. The cell was very
 17 small. Not in Bagram, this is in Kabul.
 18 Q In Kabul, you are right.
 19 A Yes. The cellblock is as black as a grave so you
 20 cannot see your own fingers. I was there for
 21 twelve hours and I thought I would never get out.
 22 I thought I was dead because of, you know, how
 23 hard it was to be in there. There was music and
 24 they put it on and sometimes they just took it
 25 off. They give you one bread a day.

1 Q One bread a day?
 2 A Yes. And you were to do, you know, your number 1
 3 and 2, to pee and shit right where you are. And
 4 again you are shackled, your hands, your stomach.
 5 Q There was no toilet?
 6 A Your legs. Nothing. You are shackled to the wall
 7 and you do everything right where you are.
 8 Q There is no toilet?
 9 A Yes. I had to pee. I didn't shit but I smelled the
 10 shit from the other side. So you did everything
 11 where you are right there.
 12 Q But you said before that you were in front, they
 13 interrogated you in front of Mr...
 14 A Reda.
 15 Q Reda.
 16 A Yes.
 17 Q Asking you questions.
 18 A Yes.
 19 Q And asking him questions also.
 20 A Yes.
 21 Q And they...
 22 A They, physically, yes, they use their hands. They
 23 slap you on the face, they push you with their
 24 legs, they kick you. And this is what they used in
 25 front of me. I don't know what they used behind

1 Me JOHANNE DOYON:
 2 Oui.
 3 LA COUR:
 4 La vôtre. Alors à deux heures.
 5 Me JOHANNE DOYON:
 6 Merci.
 7 (AJOURNEMENT POUR LE LUNCH)
 8 * * *
 9 (REPRISE DE L'AUDIENCE - P.M.)
 10
 11 Me JOHANNE DOYON:
 12 On s'excuse, on sait pas où est le témoin.
 13 (Le témoin est appelé à l'extérieur et ne répond
 14 pas).
 15
 16 Il y avait un petit problème qu'on peut peut-être
 17 régler tout de suite en attendant. Il y avait la
 18 question des pièces, n'est-ce pas, maître Roussy?
 19 Me DANIEL ROUSSY:
 20 Oui.
 21 Me JOHANNE DOYON:
 22 Alors nous on avait déposé sous R-3 en liasse
 23 l'affidavit de monsieur Mohammed Charakaoui qui
 24 introduisait en pièces les affidavits de caution
 25 de même que les pièces documentaires de la presse.

1 me.
 2 Q Okay.
 3 (S'adressant à la Cour)
 4 Je prendrais une pause, s'il vous plaît, monsieur
 5 le juge..
 6 LA COUR:
 7 Vous en avez encore pour combien de temps?
 8 Me JOHANNE DOYON:
 9 Bien, j'en aurais, je pense, encore pour une
 10 grosse demi-heure peut-être plus.
 11 LA COUR:
 12 Et vous?
 13 Me DANIEL ROUSSY:
 14 Je sais pas. J'en ai peut-être pour une heure, une
 15 heure et demie moi-même.
 16 LA COUR:
 17 Alors on continue demain?
 18 Me JOHANNE DOYON:
 19 Pardon?
 20 LA COUR:
 21 On va continuer demain aussi?
 22 Me JOHANNE DOYON:
 23 as échéant
 24
 25 Très bien. De façon vous avez votre plaidoirie.

1 Bon.
 2
 3 Alors parmi l'ensemble de ces pièces-là il y a un
 4 témoin je pense que mon confrère voulait
 5 interroger. Il s'agissait de Christine Paret qui
 6 était le professeur, c'est un affidavit de
 7 caution. Cependant, madame Paret est à l'extérieur
 8 donc elle pouvait pas, on n'a pas été capable de
 9 la rejoindre à l'amiable, comme on s'était entendu
 10 avec mon confrère.
 11
 12 Donc moi, je voudrais quand même qu'il soit déposé
 13 parce que c'est comme, c'est un affidavit
 14 simplement de caution qui dit simplement qui offre
 15 une caution. Mon confrère...
 16 Me DANIEL ROUSSY:
 17 Juste quelques représentations brèves sur
 18 l'affidavit de madame Paret. Je vais m'objecter
 19 pour les raisons qui ont été exposées dans ma
 20 lettre envoyée à la Cour la semaine dernière.
 21 Simplement parce que madame Paret est l'un des
 22 témoins qui connaît personnellement monsieur
 23 Charakaoui et se porte caution. C'est un cas rare.
 24
 25 Me DANIEL ROUSSY: Monsieur Charakaoui.

1 Alors vu qu'elle n'est pas ici pour le contre-
2 interrogatoire, je m'objecte donc au dépôt. Mais
3 évidemment, c'est votre décision de l'admettre ou
4 non.

5 LA COUR:

6 Maître Doyon, si la partie intimée ne peut pas
7 contre-interroger c'est un déni de justice à la
8 base même.

9 Me JOHANNE DOYON:

10 Oui. Bien, regardez. C'est parce que dans le
11 dossier, vous savez, madame Paret avait déjà
12 témoigné, je pense, lors de la première audience.

13 LA COUR:

14 Non.

15 Me DANIEL ROUSSY:

16 Non, elle n'a jamais témoigné madame Paret.

17 Me JOHANNE DOYON:

18 Oui, mais c'est parce que vous lui avez pas
19 demandé. En tout cas, il y avait son affidavit qui
20 était déjà au dossier.

21 LA COUR:

22 C'est ça, j'avais lu son affidavit.

23 Me JOHANNE DOYON:

24 C'est ça. Parce que la partie adverse avait...
25

1 Me LUC CADIEUX:

2 Monsieur le juge, je voudrais simplement
3 mentionner à la Cour à la première révision de
4 détention, madame Paret ne s'était pas présentée.

5 On avait demandé qu'elle se présente. Elle s'était
6 pas présentée. On s'est pas objecté au dépôt de
7 l'affidavit. A la deuxième révision de détention,
8 comme décision stratégique on avait décidé de ne
9 pas contre-interroger mais cette fois-ci on
10 voulait contre-interroger madame Paret.

11
12 Elle le connaît personnellement. Au début, elle
13 s'était portée -- c'était simplement une preuve de
14 moralité puis ç'a changé de preuve de moralité à
15 une caution de 1 000 \$.

16
17 Il y a un changement qui s'est produit puis on
18 voulait, entre autres, contre-interroger sur les
19 raisons de ce changement-là puis le fait qu'elle
20 le connaissait personnellement. Merci, Votre
21 Seigneurie.

22 LA COUR:

23 Je vais l'accepter l'affidavit pour le 1 000 \$
24 simplement.
25

1 LA COUR:

2 Je comprends. Mais le droit au contre-
3 interrogatoire est un droit reconnu.

4 Me JOHANNE DOYON:

5 Bien, il semble être reconnu effectivement de
6 manière générale sauf, en tout cas. Comme on vous
7 faisait valoir en réplique à la lettre de maître
8 Roussy, c'est un peu paradoxal puisque dans le
9 dossier monsieur Charkaoui est privé, lui, de ce
10 droit-là, enfin. Puis normalement... Il est privé
11 de ce droit-là de manière générale par la
12 pratique...

13 LA COUR:

14 Je vais juste lire l'affidavit, on va relire ça,
15 de madame Paret.

16 Me DANIEL ROUSSY:

17 C'est les pages A-10...

18 Me JOHANNE DOYON:

19 Vous savez, monsieur le juge, ce que je faisais
20 valoir dans la lettre c'est un peu le paradoxe
21 d'exagérer sur un droit de contre interrogatoire.

22 LA COUR:

23 C'est parce que c'est un affidavit qui dépose
24 1 000 \$ puis qui reprend les mêmes propos que les
25 autres affiants.

1 Me LUC CADIEUX:

2 Merci.

3 LA COUR:

4 Il y a pas quelque chose d'autre qu'on peut faire
5 en attendant le retour du témoin?

6 Me JOHANNE DOYON:

7 Bien, je sais pas si vous avez pu réfléchir à la
8 question que je posais dès le début sur des
9 déclarations de monsieur Ressim et de monsieur
10 Zubaida, le traitement que vous allez en faire.

11 LA COUR:

12 Ça fera partie de mon délibéré. C'est déjà en
13 réflexion.

14
15 INTERROGATOIRE PAR Me JOHANNE DOYON:

16 Q So, you stayed in Guantanamo Bay until what date?

17 A Until the end of October, 26th or 27th of October.

18 Q October two thousand...

19 A 2003.

20 Q 2003, okay. So you said to us that you met on a
21 regular each week the CIA officer?

22 A Yes.

23 Q And finally why were you transferred or were you
24 able to go out of Guantanamo in October 2003?

25 A I was sent to Bosnia. This decision was made

1 because they were thinking about where they should
 2 send me. Among the options were the Gulf, Iraq,
 3 Europe. And so at the point Iraq was the biggest
 4 issue for the Americans so they decided the best
 5 way to send me would be to send me to Bosnia where
 6 their thought was that there is a pipeline that
 7 goes from Europe to Iraq and the pipeline goes
 8 through Bosnia. So they wanted me to infiltrate
 9 that pipeline and to work for them in Iraq.
 10 Q But what was the reason of the departure from
 11 Guantanamo Bay?
 12 A To work for them.
 13 Q Yes, I understand. But you were working for them
 14 in Guantanamo Bay.
 15 A Well, after a lot of complaints on my side, they
 16 moved me from general population because I made a
 17 lot of complaints. And I threatened to just blow
 18 my cover and tell everybody around me that I was
 19 working for the CIA and that I couldn't do this
 20 any more, that I wanted to go out. And so they
 21 decided they will move me to a compound.
 22 Q You were doing this yourself?
 23 A Yes.
 24 Q Okay. Why?
 25 A Because I didn't want to be in jail any more.

1 A They did mention it to me and they asked me. But
 2 I think the decision was made back in D.C. But
 3 yes, they discussed it with me.
 4 Q Okay. So finally they chose Bosnia for you?
 5 A Yes.
 6 Q And were you in favour of this choice?
 7 A Yes, as long as I got out of Cuba. I was in favour
 8 of getting out of Cuba.
 9 Q So okay. How did they transfer you to Bosnia?
 10 Could you explain?
 11 A There was a higher up officer, I think a division
 12 chief or something, that came from D.C. in a
 13 private jet. I was going on this jet and then from
 14 there we went straight to Bosnia. We made only one
 15 landing which was in the Mediterranean, Ste. Marie
 16 Island, to refuel.
 17 Q And?
 18 A So I did not leave Cuba in a way that the army
 19 would know exactly when I left. Because I was
 20 taken privately in a car to the airport and there
 21 I was loaded into a private jet and then straight
 22 to Bosnia. So the military didn't know when I
 23 really left.
 24 Q Which city in Bosnia?
 25 A I landed in a city south of the capital. I don't

1 Q Okay.
 2 A I couldn't handle the pressure. So they decided to
 3 move me to a compound. They moved me to a compound
 4 where I was staying in a unit and it was like a
 5 big room with a living room and a bedroom.
 6 Q It was on the base?
 7 A It was on base. It was a secret location that
 8 nobody knew of, the media or the American
 9 government, nobody. It was just known to the CIA.
 10 Q So you were moved for how long you said?
 11 A I stayed there for five months.
 12 Q Okay. And it was like a private house?
 13 A It was a private house and outside there was a big
 14 fence. I was aloud inside the house and outside,
 15 but not allowed outside the fence.
 16 Q And what were you doing all day at this place?
 17 A Nothing. Just spending the day either reading or
 18 watching television.
 19 Q And did you have any discussions with the CIA at
 20 that time?
 21 A In this period, as I said, there was discussions
 22 about where I should be sent to Bosnia or to
 23 the
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1 know exactly the name but there is an American air
 2 base there.
 3 Q So you arrived at the American air base?
 4 A Yes. And at the American air base there was two
 5 people from CSIS that came to see me.
 6 Q From CSIS?
 7 A Yes.
 8 Q Okay. For which purpose?
 9 A To, again to go over the questions and to ask me
 10 some more questions.
 11 Q About?
 12 A Questions just about everybody they asked me about
 13 before, about terrorists, about any Al-Quaedas
 14 there, about army, about, you know.
 15 Q And what about Mr. Charkaoui?
 16 A I wasn't asked about Charkaoui.
 17 Q So it was, you said you stayed until October. So
 18 it was October?
 19 A It was the 3rd or the 4th of November.
 20 Q 2003?
 21 A Yes.
 22 Q In Bosnia?
 23 A Yes.
 24 Q How long?
 25 A I spent a month in Bosnia. The idea was that

1 make contact with any of the Arabs. So they put me
2 in the mosque where a lot of Arabs were. I made
3 contact and I started to communicate with this
4 person. I told the CIA officer about him, his name
5 and everything. And he asked his Bosnian
6 colleagues, the Bosnian intelligence about him and
7 they said that yes, he is a perfect target, you
8 know. He can get Abdurahman in the pipeline.
9

10 So the day, they were very happy that day when I
11 made contact and they got me some money. And that
12 was the day I decided I didn't to go on.

13 Q How much did they give you?

14 A The gave me a thousand marks, convertible marks,
15 Bosnian marks which makes approximately the same
16 in Canadian, \$1,000 Canadian. That is when I made
17 the decision that I didn't want to go on any more.
18

19 So before this I had called my grandmother. But
20 again I told her the story that I was just
21 released by the Americans and that I travelled
22 through all these countries and now I am here.
23

24 But then that day I called her and I said: "No, I
25 am trapped and the Americans won't let me go and

1 I need to get back." So I wanted her to go and
2 make a press conference and that is what she did.

3 Q Okay. But why did you change like that? Because
4 you were...

5 A I changed because, again, from the very beginning
6 my only reason for working for them was to get
7 out.

8 Q Okay. But you said before that...

9 A And before that it was, when I first met the CIA
10 everything was nice. They were nice to me. I
11 didn't see any of the things that they were doing.
12 But during the period of the two years, I saw a
13 lot of things that they were doing that was not,
14 they were not the good side by doing what they
15 were doing.

16 Q You are talking about what exactly?

17 A About the torture. About sending me to Cuba for no
18 reason. About the treatment of the detainees.
19 About the innocent detainees in Cuba.

20 Q Why are you talking about innocent detainees in
21 Cuba? Did you discuss this matter with the CIA?

22 A I discussed it with them all the time. Actually
23 some of them I sat with the CIA and I told them:
24 "I guarantee this person right here. I guarantee
25 with my own self that he will not do anything.

1 Release him today and I guarantee that if he does
2 anything you can electrify me instead of him." So
3 there was, to my thought there was 60% innocent
4 people there, Afghans and Arabs that did not have
5 anything to do with nothing.

6 Q And how were you sure of that?

7 A How I was sure, because one of them I lived with
8 him. One of the people that I am talking about I
9 lived with him. Other ones I talked to.

10 Q What do you mean by "lived with him"?

11 A We lived with him in the same house. He was living
12 downstairs and we were living upstairs.

13 Q Okay.

14 A And he was a school principal in Pakistan.

15 Q Okay.

16 A This is one case. And a lot of other cases of
17 people that were even in Afghanistan but they went
18 training. There was a lot of people that went
19 training in Afghanistan, as I said. And they are
20 back in their countries and they didn't do
21 anything. It is those people that do something
22 that are dangerous. But the rest of the people, a
23 lot of people go training.

24
25 There is a lot of Afghans that were just captured

1 because they had a weapon. Everybody in
2 Afghanistan has a weapon. A lot of them were sold.

3 The person would come and tell them: "I have a big
4 commander of the Al-Qaeda." And they would catch
5 him and he is nobody but, you know, they paid for
6 him so now they are going to keep him. So there
7 are a lot of cases like this.

8 Q So at that point you decided that you should use
9 your freedom in Bosnia to escape?

10 A To go back, yes.

11 Q Okay. And you decided to call your mother for this
12 purpose?

13 A My grandmother here in Toronto.

14 Q And what was the plan?

15 A That she goes and she tells the media because this
16 is one of the things the CIA wanted to avoid as
17 much as possible, the news that I was released.
18 When I called her before she would tell me: "Can
19 I tell the media?" And I would say no.

20 But this time I said: "Go, tell everybody. Have a
21 press conference." And that same day she did a
22 press conference. The next day there was an
23 article in the Washington Post and the New York
24 Times.
25

1 Q The article to?

2 A That I was released.

3 Q From Guantanamo?

4 A Yes. Again, it had the first story that I was just
5 in Afghanistan and travelled all of, like half of
6 Asia and then I was here in Europe and that, you
7 know, Canada wasn't helping me to come back.

8 Q This is the story. Could you tell us why you
9 decided to go with this story first?

10 A The CIA, again, even when I wanted to come back I
11 didn't want to be too hasty. If I had just come
12 out and run to the embassy, they could have got
13 their hands on me and put me back in jail.

14 Q Who?

15 A The Americans.

16 Q The CIA, okay.

17 A So I made it in a way that they think I never, you
18 know, I never screwed with them, I never turned
19 and I never just left them. I said: "Well, I was
20 talking to her and she said she was going to tell
21 the media." You know.

22

23 So the next day I myself went to them and told
24 them: "You know what, she told me she is going to
25 talk to the media so you are going to probably see

1 going to be talk, so something is going to go on.

2 So they decided to send me back.

3 Q What was the agreement between the CIA and you
4 concerning your collaboration with them in front
5 of the CSIS?

6 A Well, in the very beginning it wasn't the CSIS, it
7 was the RCMP and: "Don't tell them that you are
8 working for us." The second time in Sarajevo they
9 told me to just not mention it. They said: "We
10 have mentioned it to them. They know you are
11 working for us but just don't mention it to them."
12 Again, even when I met with them the second time
13 the CIA was there too.

14 Q But it was RCMP or CSIS?

15 A The second time it was CSIS.

16 Q CSIS, okay. So continue. You were...

17 A Then on the morning, on the Saturday morning I
18 went to the embassy and they issued me an
19 emergency passport and a ticket and I came right
20 away the same day. Two hours or three hours later
21 we boarded a flight and we came back to Canada, me
22 and a consulate from the embassy.

23

24 Again, their idea was that: "When you go back, now
25 you are going back, we want you to stay with the

1 it in the papers." And yes, it was in the papers
2 that night.

3

4 So they put me, they took me from the place where
5 I was staying, an apartment building, and put me
6 in a safehouse again. I was in the safehouse for
7 three days, two days actually and then on a
8 specific day I went to the embassy on a Saturday
9 morning.

10 Q The embassy of which country?

11 A The Canadian embassy in Sarajevo.

12 Q Because you were staying in Sarajevo for all the
13 month?

14 A Yes, except for five days in the very beginning I
15 was at the air base.

16 Q At the American base?

17 A Hmm hmm.

18 Q So does it mean that at the beginning arriving in
19 Bosnia your idea was to quit?

20 A My idea was all the way to just get out.

21 Q Okay. So finally what happened?

22 A Finally after this whole thing came out in the
23 media and the decision was yes, I had to stay
24 in the safehouse, not because we had to be there
25 because of the relation between Canada and the States there

1 original story that yes, you were in Afghanistan,
2 that you went to the embassies. The guards
3 outside, not the people inside, the people outside
4 would not let you go in to get a passport and to
5 tell them that you have been released, that you
6 came all this way because you wanted to get into
7 Europe because there you can put more influence on
8 the embassy and now here in Bosnia your
9 grandmother found out and now you are back to
10 Canada." Simple.

11 Q Okay.

12 A And so when I did come back, not the same day, not
13 the next day, the day after that, there was a
14 press conference. It was with the lawyer Rocco
15 Galati. And in the press conference, as they
16 discussed with the CIA, it was the same thing.

17 Q You declared the same thing?

18 A Yes, I declared the same thing. Two days later
19 with the lawyer himself I told him the real story.

20 Q To Rocco Galati?

21 A To Rocco, about how I was working for the CIA and
22 everything. And after that I told him: "What is
23 your advice? What should I do right now? What
24 should I give the press conference and then
25 later, without calling me or talking to the press

1 it, he just quit on TV. After that I tried to meet
 2 with him more than once and I couldn't.
 3 Q So what did you decide after that?
 4 A After that...
 5 Q After telling him the whole story?
 6 A Well, after that I was just living my normal life.
 7 But I was very depressed because there was this
 8 big lie and it wasn't just a lie to myself. It was
 9 to the whole Canada because everybody had saw this
 10 press conference on TV. So I thought that I had to
 11 fix this.
 12
 13 So one day I was in a big conference, in a summit
 14 conference and that is where I met a friend that
 15 works at CBC. And again, talking to him I felt
 16 comfortable so I told him my story. And that is
 17 when he told me: "You have to tell the public your
 18 story." And I said: "Okay."
 19 Q And you did?
 20 A Yes.
 21 Q And the story in question is the same as...
 22 A What I just told you right now, yes.
 23 Q Okay. Why did you accept to testify in Charkaoui's
 24 case?
 25 A Because I think, I just wanted to tell what I

1 A To get the whole course. When you first get to
 2 Khaldan the first training you get is assault
 3 rifles which is assault rifles AK-47 and other,
 4 you know, light guns. The second course which is
 5 again another two months is mortars. And the third
 6 training is explosives. That is another three
 7 months. The explosives comes the third. Everybody
 8 that gets there first takes assault rifles then
 9 takes mortars and then explosives and then after
 10 that there is pistols or snipers. But again, to
 11 get the whole thing you need eight months.
 12 Q Eight months.
 13 A And you need at least six months to get to the
 14 explosives training.
 15 Q And just to be sure of your answer, the guesthouse
 16 you described as...
 17 A Madafit Khaldan.
 18 Q It was serving the camp of?
 19 A Khaldan.
 20 Q And the camp of?
 21 A Deronta.
 22 Q Okay. Both were served by...
 23 A Yes.
 24 Q Okay. These are my questions.
 25

1 know. And I don't know this person and I haven't
 2 seen him in Afghanistan and I decided to tell that
 3 to the Court.
 4 Q Okay. Just a few questions more and I will put you
 5 in the hands of my confrere. How many times did
 6 you hear the use of the name Zubeir and Al-
 7 Maghrebi, for instance?
 8 A Oh, I heard it a lot, more than twenty times.
 9 Everybody uses these names. They take an Abu,
 10 which everybody uses, and then Zubeir or Ahmed or
 11 any of these names, Osama, Reba, any of these
 12 names and in the end they put Maghrebi, Jazziri,
 13 you know, whatever.
 14 Q It is a way of, why are...
 15 A It is just a way of disguise. Because the most
 16 important way to find who someone is is their name
 17 more than the picture because in the training
 18 camps you are not allowed to have a camera. So you
 19 are not allowed to take pictures of someone. So
 20 the only way to identify someone there is to get
 21 the real name and that is what people changed.
 22 Q Okay. Did you tell us that the basic training in
 23 Khaldan needs eight months?
 24 A The whole training takes eight months.
 25 Q Eight months?

1 CROSS-EXAMINATION BY Me DANIEL ROUSSY,
 2 Attorney for Respondents:
 3 Q Good afternoon, Mr. Khadr. I will take you back
 4 where you left. You are the son of course of Ahmed
 5 Said Khadr?
 6 A Of Said Khadr.
 7 Q And where is your mother at this moment?
 8 A She is in Toronto.
 9 Q She is in Toronto. With one of your brothers?
 10 A Yes.
 11 Q Which one is it?
 12 A This is Abdul Karim Khadr.
 13 Q And your brother he has problem right now?
 14 A My brother is paralysed from the waist down.
 15 Q How come he is paralysed?
 16 A He is paralysed because he was with my father in
 17 the compound in which he was killed. The situation
 18 where he was hit, he was walking outside and the
 19 Pakistani military saw him so they told him to go
 20 in the compound and to tell everybody to
 21 surrender.
 22
 23 So he went inside and told my father: "There is
 24 military and they want you to surrender." So he
 25 told him to just flee. He said: "Just get out of

1 here. Run away and I will stay here." So Karim was
 2 running away and he was shot in the back.
 3 Q And your father did not surrender?
 4 A My father apparently didn't.
 5 Q Okay. And why did he not surrender?
 6 A That I don't have any knowledge of.
 7 Q You were talking about interviews before CBC.
 8 Again tell me when you came back from Bosnia?
 9 A I came back from Bosnia here to Canada on the 29th
 10 of November.
 11 Q Of November?
 12 A Yes, in the night of the 29th.
 13 Q Then two days later you gave...
 14 A Two days later, the 2nd, I think, of December,
 15 there was a press conference.
 16 Q A press conference?
 17 A Yes.
 18 Q And at that press conference you told people what?
 19 A I told them that I was released in Afghanistan and
 20 that I travelled to Pakistan, tried to go to the
 21 embassy there and they wouldn't let me. And then
 22 I went to Iran and then to Turkey and in Turkey I
 23 tried to go to the embassy there and I couldn't.
 24 Then I went to Bulgaria, Serbia and then Bosnia.
 25 Q That is the story that you learned over and over

1 gave several other interviews to CBC, didn't you?
 2 A Yes. I gave a documentary. It was a documentary
 3 actually.
 4 Q And the journalist from CBC is Terence McKenna, is
 5 that it?
 6 A Yes.
 7 Q You met Mr. McKenna and gave him an interview?
 8 A Yes.
 9 Q I don't have a video of that interview but I have
 10 transcripts taken over the Internet of that
 11 interview which I am going to file now and we will
 12 refer to them, make reference to them during my
 13 cross-examination. The first transcript I want to
 14 file is the one...
 15 Me JOHANNE DOYON:
 16 Just a minute. Vous allez lui endonner une copie?
 17 Me DANIEL ROUSSY:
 18 Oui, oui, c'est ça.
 19 Me JOHANNE DOYON:
 20 Est-ce qu'il peut prendre un peu le temps pour le
 21 regarder?
 22 Me DANIEL ROUSSY:
 23 Bien, c'est parce que j'ai pas l'intention d'aller
 24 en détail dedans. That is the first interview from
 25 CBC. It is taken over the Internet, I took it over

1 and over again?
 2 A This is the story that was recited to me by the
 3 CIA.
 4 Q You also told the press conference that your
 5 family was not connected with Al-Quaeda?
 6 A Yes.
 7 Q And that was obviously a lie?
 8 A That was a lie also.
 9 Q And your travel time was a lie too?
 10 A My travel time, well, the time that I said I was
 11 released was true. But the way, the whole travel
 12 was a lie.
 13 Q The whole travel?
 14 A Yes.
 15 Q So you lied in front of millions of population and
 16 beside your lawyer at that time Rocco Galati?
 17 A Yes.
 18 Q Did Rocco Galati, prior to going to the interview,
 19 tell you to tell the truth?
 20 A He did not.
 21 Q What did he do to prep you for that interview?
 22 A He just told me that "I will be new to you and

1 the Internet on the 6th of July. It is an
 2 interview dated March the 3rd and the first two
 3 lines say:
 4 «In depth: Khadr, Al-Quaeda Family: The
 5 firefight at Waziristan. CBC News Online
 6 March 3rd, 2004.»
 7
 8 THE COURT:
 9 So we will file it. Do you intend to refer to it?
 10 Me DANIEL ROUSSY:
 11 Yes, I will refer to it sporadically.
 12 THE COURT:
 13 So therefore it is going to be filed under I-1.
 14 EXHIBIT I-1: Internet transcript of the CBC
 15 interview of Abdurahman Khadr by
 16 Terence McKenna dated March 3rd,
 17 2004.
 18
 19 Me DANIEL ROUSSY:
 20 The second interview is taken from the Internet
 21 again on the 7th of July from the website of PBS
 22

1 column, Mr. Khadr...
2 Me JOHANNE DOYON:
3 What is it, I-1 or I-2?
4 Me DANIEL ROUSSY:
5 Q You can see the column here?
6 A Yes, yes.
7 Q Right on the left side, it is small script?
8 A Hmm hmm.
9 Q The last four lines it says:
10 «This transcript is drawn from three
11 interviews conducted by correspondent
12 Terence McKenna in January 2004.»
13
14 Do you recall that interview, Mr. Khadr? You
15 recall giving that interview to Mr...
16 A Yes, yes.
17 Q Okay. So I will file this.
18 THE COURT:
19 As I-2.
20 EXHIBIT I-2: Internet transcript of the CBC
21 interviews done in January 2004 of
22 Abdurahman Khadr by Terence
23 McKenna, dated July 7th, 2004
24 downloaded from the PBS website.
25

1 am saying from the two of us it is probably him.
2 But I'm not sure.
3 Q Okay. You are not sure. But did your father attend
4 one of Mr. bin Laden's son's...
5 A I don't know.
6 Q You don't know. Okay. So just say...
7 A I don't remember.
8 Q If you are not sure just say: "I don't know." It
9 will be easier for everyone.
10 A Okay. I don't know.
11 Q Okay. Thank you very much. And in this it also
12 says that your father, being in admiration with
13 Mr. bin Laden, therefore approved of Mr. bin
14 Laden's methods and ideologies. Is that correct?
15 A Yes.
16 Q Therefore, if Mr. bin Laden condoned violence,
17 your father condoned violence too?
18 A Yes.
19 Q If Mr. bin Laden condoned terrorism, your father
20 condoned terrorism too?
21 A Hmm hmm.
22 Q Therefore, would you describe your father as being
23 a member of Al-Quaeda at this point?
24 A Well, I described him before as a member and I
25 think yes.

1 Me DANIEL ROUSSY:
2 Q So in there you said basically that your family
3 was connected with Al-Quaeda?
4 A Hmm hmm.
5 Q That your family met with Osama bin Laden?
6 A Yes.
7 Q Your father was a good friend of Osama bin Laden?
8 A Yes.
9 Q Your father admired Osama bin Laden?
10 A Yes.
11 Q And Osama bin Laden actually admired your father
12 too?
13 A Yes, yes.
14 Q So they had tremendous respect between each other?
15 A Yes.
16 Q Osama bin Laden attended your sister's wedding?
17 A Yes. And her engagement.
18 Q And her engagement, sorry. I apologize. And either
19 your father or yourself attended one of Mr. bin
20 Laden's son's wedding, didn't you?
21 A Not myself.
22 Q Not yourself?
23 A My father.
24 Q Your father?
25 A Yes. I am not sure of that but it is not me. So I

1 Q So he is a member?
2 A But again I have to mention that we, I and you,
3 say that it is terrorism. To him it was not
4 terrorism.
5 Q Okay. What was it to him?
6 A To him it was a freedom fight. To him this was a
7 group of the last Muslims surviving to defend
8 Islam. That is what it was to him.
9 Q Okay. But you say you, you don't condone those
10 things, do you?
11 A No, I don't.
12 Q And you are against them, aren't you?
13 A I am against them, yes.
14 Q And why are you against them?
15 A Because it is violence. It is killing of innocent
16 people. It is not what Islam calls for.
17 Q Can you tell me what you think of, for example, in
18 '98 when they bombed the U.S. embassy in Kenya and
19 the U.S. embassy in Tanzania? What was your
20 reaction at that point?
21 A In the very beginning I saw a lot of dead people
22 that were not American. Yes, at that point I did
23 hate America. And the Americans, I didn't feel
24 sorry for them. But the rest of the people that
25 were killed, I had conflicting thoughts about the

1 rest of the people that were killed there
2 actually.
3
4 Because at that point I will not say that I was
5 totally as this. I have learned a lot in the last
6 two years.
7 Q You progressed?
8 A Yes. But after that I was in a training camp and
9 we were bombed and my Canadian friend which I
10 mentioned earlier was killed...
11 Q Amur.
12 A ... and he was cut into pieces. So I had to
13 collect his pieces off the ground and that is what
14 built rage in my heart. So that day I hated
15 America as ever.
16 Q So your thought process evolved, let's put it that
17 way, from '98 when you were in the camps up to
18 now?
19 A Yes.
20 Q Which you are an adult now?
21 A Yes.
22 Q I can describe you as a teenager, I assume, in
23 '98, or even a child?
24 A Yes, yes.
25 Q Weren't you?

1 Khaldan camp?
2 A Yes.
3 Q You told the TV interviewer that you regretted, to
4 a certain degree, going to that camp?
5 A Yes.
6 Q Why did you regret going to that camp?
7 A Well, it was, at this point I think most of my
8 life in Afghanistan is a waste of time, most of
9 it. I have lost my education at 8th grade and that
10 is my last grade. I don't have any real friends.
11 All my friends are about, you know, just doing
12 something. It is just a waste of my life. I mean,
13 really I haven't done anything and I am 21.
14 Q So you want to get back into, let's say, let's put
15 it, North America or somewhere else to work?
16 A Anywhere in the world. It doesn't have to be North
17 America. It can be an Arab country but just a
18 peaceful life.
19 Q But you came back to Canada to restart your life?
20 A Yes.
21 Q Okay. Tell me what was your state of mind going to
22 those camps therefore if you did not...
23 A At that point when I first went I was 11. When I
24 then went I was 12. And at those points I was
25 forced.

1 A Yes.
2 Q And now you are an adult?
3 A Yes.
4 Q Your thoughts evolved and you are saying to us
5 now: "I don't approve of those acts."?
6 A I don't.
7 Q What do you think about September 11th?
8 A Of course I rejected. I think it was killing of
9 innocent people. I rejected all of it. It
10 destroyed Islam. It destroyed America and it
11 destroyed the rest of the world.
12 Q And for you Islam is what?
13 A Islam for me is a peaceful religion. We used to
14 have our own government. I am against American
15 troops being in Saudi, I am against it all the
16 way. But I do not deal with it the way Osama does.
17 Q Okay. So you would go with a political solution or
18 at least...
19 A Yes.
20 Q ... something less violent. That is what you are
21 telling me?
22 A As less violent as possible
23 Q ... therefore ...
24 ...
25 ...

1 Q Quite young?
2 A Yes. And then the last time I went I was 17 and
3 again it was my father. He told me: "Either go to
4 the camp or you leave the house." At which point
5 I did. And twice actually I ran away from home.
6
7 One of them I went to the embassy, the Canadian
8 embassy in Islamabad and I wanted to go back to
9 Canada. I even told them to find a way to get me
10 back to Canada. And they said: "Well, you came on
11 your own. You have to go back on your own."
12 Q So basically were you interested in the life in
13 the camps?
14 A I was never, I was really never interested in
15 them. I was really never.
16 Q So you were detached from that life. You wanted to
17 do anything?
18 A Anything else, yes.
19 Q Have a career, etc.?
20 A Hmm hhm.
21 Q And there is an interesting quote and I can't find
22 it of course But you say you also said during
23 ...
24 ...
25 A Hmm hhm. I always was everywhere.

1 Q So you were known?
 2 A And in that way I was very known too because I was
 3 a black sheep.
 4 Q You were known for the guy who had the most
 5 punishment?
 6 A Trouble, discipline, everything.
 7 Q Trouble, etc. So you were kind of the, I will not
 8 say the clown of the place, but let's say the guy
 9 who likes a good life?
 10 A Oh, you can even say the clown. I was. At certain
 11 points I was.
 12 Q Okay. And you, at that point, that really showed
 13 your father. Did you tell your father you were not
 14 interested at that time?
 15 A I told him more than once.
 16 Q Actually in the article by PBS there is a quote
 17 right at the beginning.
 18 A Hmm hmm.
 19 Q Here on the right side. It says:
 20 «Three times my father tried to get me
 21 to be a suicide bomber.»
 22
 23 A Hmm hmm.
 24 Q «I don't believe in blowing myself up,
 25 killing innocent people. I just don't

1 '98 or 2001, they would say: "Oh, those people are
 2 so lucky. If I could only be them."
 3 Q Actually, if I recall correctly the interview, the
 4 second one where you told the truth finally, isn't
 5 that your mother or your sister saying, they
 6 quoted the word «shaheed».
 7 A Yes.
 8 Q What does it mean «shaheed»?
 9 A «shaheed» means martyr. The west I don't think
 10 understands martyr very properly.
 11 Q That is why I am asking you.
 12 A Yes. Martyr, you can be a martyr by defending your
 13 family and being killed defending your family. You
 14 can be a martyr by defending your money or, you
 15 know, your belongings and be a martyr. You can be
 16 a martyr if you drown. You are swimming in the sea
 17 and you drown you are a martyr. Martyr, if you are
 18 defending your country and you get killed you are
 19 a martyr.
 20
 21 The West thinks a martyr is a person who blows
 22 himself up, no. It doesn't have... They, Al-Quaeda
 23 say that he is a martyr. But I think a martyr is
 24 a person that I told you, the four last things
 25 that I told you.

1 believe in that.»
 2
 3 A Yes.
 4 Q Is that true?
 5 A Yes, of course.
 6 Q So your father asked you three times to be a
 7 suicide bomber?
 8 A He sat me down with this scholar and the trainer
 9 and they talked about it. We even discussed which
 10 clothes I would be wearing, that I would shave my
 11 beard, that I would wear a Walkman, anything. And
 12 I was like: "No, no. No."
 13 Q When was that?
 14 A This was in the period between '98 and 2001.
 15 Q Why was it so important for your dad to send you
 16 as a suicide bomber?
 17 A Because for me to become a suicide bomber is a
 18 pride for my dad. It is a pride for the family. He
 19 said even a pride for Islam.
 20 Q Are there other people thinking like that?
 21 A Other people, I am sure there is.
 22 Q Okay. Did you know people who talked that way
 23 being in an Al-Quaeda milieu like Pakistan?
 24 A Everybody talked. No, no, everybody talked like
 25 that. People, when they saw something happen like

1 Q And just to finish on the ideology of Al-Quaeda.
 2 Is it your understanding that Al-Quaeda's ideology
 3 is to eliminate occidental influence from Islam or
 4 at least from the Muslim world? Is that what you
 5 understand?
 6 A The occidental influence?
 7 Q The occidental, like the North American influence.
 8 A Yes, okay.
 9 Q Sorry for that.
 10 A Yes, yes. Oh yes, take it out totally because...
 11 Q Like Osama bin Laden was really against, for
 12 example, there is a part on it on pops or, you
 13 know, he didn't like ice or cold drinks.
 14 A Oh, these things like Tabasco (sic), ice. Ice is
 15 not even American but it is a luxury of life and
 16 he doesn't want his people to get used to that.
 17 Q But you, you like music, for example?
 18 A I do.
 19 Q Don't you?
 20 A Yes.
 21 Q You like watching TV?
 22 A Yes.
 23 Q So that is pretty much against...
 24 A Yes.
 25 Q ... what Al-Quaeda teaches you?

1 A Yes.
 2 Q How did you then take that?
 3 A I did that, there is a lot of other people that
 4 did that but I was one of the people that did it
 5 out loud. I shaved my beard in the Taliban period,
 6 which was a no-no, you know. And more than once I
 7 was going to be like hit or put in jail because of
 8 it. But this is what I thought. I wanted to do it
 9 and I did it.

10
 11 I just did things because I think I was young and
 12 because in a way I am Canadian so I just did
 13 whatever I wanted to do and I just defied the
 14 government. And because of all of these things I
 15 became more and more famous among the Al-Quaeda
 16 community.

17 Q Okay. You talked a bit earlier about Al-Quaeda
 18 camps, you say, and camps like Khaldan and
 19 Deronta.

20 A Yes.

21 Q Would you say that, you said in interviews that
 22 they were Al-Quaeda related but not necessary Al-
 23 Quaeda, is that correct?

24 A Yes. And that is what I meant there. Because again
 25 another thing that the people don't understand

1 sheiks and Saudi princes and all and that is how
 2 it was funded.

3 Q Was your father involved in financing those camps?
 4 A Not that I know of. This is one of the questions
 5 that the CIA mentioned to me a lot what do I know
 6 about my father doing any of this. I haven't seen
 7 him do anything.

8 Q Okay. Like when you came back for Christmas to
 9 pick up money from Canada and going back, you have
 10 no idea if that money was used or not used?

11 A I do not know. I know that I picked up the money
 12 from here. We picked \$50,000 to \$70,000 and then
 13 we gave it to him and then he dealt with it after
 14 that.

15 Q Okay. So you have no idea where that money went?

16 A No.

17 Q Okay.

18 A But of course I have seen the orphanages. And in
 19 once case I must mention. I was in Khaldan and
 20 there was a container of clothes and medicine that
 21 came from Canada. And later I saw medicine from
 22 the same container and clothes in the camp, in the
 23 training camp.

24 Q From Canada?

25 A But that is the only case which I saw something

1 here in the West is that they think everything
 2 there is all the same. It is all Al-Quaeda.
 3 Because they are kind of using the Al-Quaeda word
 4 as a punch line. But no. There was different
 5 groups.

6
 7 There is Moroccan, Algerian, Libyan groups. There
 8 was Egyptian groups, Al-Quaeda, Khaldan. There's
 9 all these groups and they were all separate.

10 Q Could you name me some Moroccan Algerian groups
 11 that were there?

12 A The Moroccan group was Jammah al marhibia (sic)
 13 which means the group of Moroccans. The Libyan was
 14 Jammah al mouhatlah (sic) which is the group of
 15 fighters. And al masri al jammah al Jihad (sic),
 16 the group of Mujahideen or Jihaddees and others.

17 Q And other groups?

18 A Hmm hmm.

19 Q From other countries?

20 A Hmm hmm.

21 Q Okay. Camps like that cost money. How did you find
 22 camps like that?

23 A Again, Khaldan was financed by some people. I
 24 think, in Saudi and in Europe through Nisher el
 25 Libi****. He had a lot of friends in Saudi. Saudi

1 come for our organization and go to camps.

2 Q So you testified in chief earlier today before
 3 lunch that you attended every second day the
 4 guesthouse, or two or three times a week, let's
 5 put it that way, the guesthouse...

6 A Not attending, just visiting.

7 Q ... in Jalalabad?

8 A Yes, just visiting, not attending.

9 Q And in your opinion it is the only guesthouse for
 10 the Khaldan and Deronta camps?

11 A No, no, no. Khaldan has a guesthouse in Jalalabad.
 12 They have one in Kabul. They have one in Khost.

13 Q Okay. There are other guesthouses?

14 A Yes. And there was one in Pakistan, in Peshawar.

15 Q Oh, there is one in Pakistan too?

16 A Yes.

17 Q Okay. Do you know people from those guesthouses
 18 too?

19 A I know a lot of people from those guesthouses.

20 Q Okay. But you know particularly best the one in
 21 Jalalabad of course?

22 A I know the one in -- no. I know them all.

23 Q You know them all?

24 A But that is where I was living. In '98 that is
 25 where I was living.

1 Q So when you testified that you saw those
2 Canadians, you would see them at Jalalabad. Is
3 that your testimony?
4 A Come again?
5 Q When you testified earlier today that the
6 Canadians you saw, you named some persons. I will
7 find them back.
8 A Yes, yes.
9 Q You saw them at the guesthouse in Jalalabad?
10 A Two of them I saw, three of them I saw in Pakistan
11 in Peshawar and one of them I saw in Khost.
12 Q Okay. I am going to read to you paragraph 12 of
13 your affidavit. I just want a clarification here.
14 It says, en français:
15 «Toutes les personnes qui s'entraînaient
16 à ce camp logeaient dans un guesthouse à
17 Jalalabad nommé Madafit Khaldan.»
18
19 In English:
20 «All the persons which trained at that
21 camp -- which was Khaldan -- were
22 lodging -- or staying -- at a guesthouse
23 in Jalalabad named Madafit Khaldan.»
24
25 A Yes.

1 Q ... several guesthouses for Khaldan?
2 A There's three guesthouses.
3 Q Three guesthouses?
4 A Yes.
5 Q All of them are they all in Jalalabad or they
6 are...
7 A They are all in Jalalabad and Kabul and Khost.
8 Q Okay. Kabul and Khost?
9 A Hmm hmm.
10 Q And who was running the guesthouse in Jalalabad?
11 A Different people. There was one Afghan that was
12 running the last. But there was an Arab before
13 that, Yamadi (sic), and the last one was an Afghan
14 and before that I am not sure who it was but it
15 was an Arab too. But I am not sure of their names.
16 I can't remember names at all right now.
17 Q You can't remember.
18 A Names.
19 Q But weren't you going there two or three times a
20 week?
21 A I was going. But the whole experience of the two
22 years that passed, there was a lot more names
23 being mentioned.
24 Q So you kind of forgot or what?
25 A No, I didn't forget. If there is a certain name

1 Q So that is not quite correct. There's other
2 guesthouses at other places?
3 A No, no. Until around '97, probably before that,
4 before even '97, probably mid-'97, around this
5 time, yes, the one in Khost was being used.
6 Because there was a way to get to Pakistan from
7 Khost. But after that it was closed because there
8 was a lot of people being arrested on the border.
9 So that is when they closed it.
10
11 And everybody had to go to Khost and then to Kabul
12 and then to Jalalabad. The travel from the camp to
13 Jalalabad took at least the whole day. So any
14 person would have to stay there.
15 Q And what is the distance again from your house...
16 A Two hundred miles.
17 Q Two hundred miles. In your affidavit it says a
18 hundred and fifty miles.
19 A A mistake in that. Again, I said it is
20 approximate. I am not sure.
21 Q Okay.
22 A I would have to get a map for that.
23 Q Let me clarify that again. Is there only one
24 guesthouse for Khaldan or is there...
25 A There's three guesthouses.

1 that I remember and I mean if I see someone that
2 I know, then I will remember him. But there were
3 people that I met every day.
4 Q Every day?
5 A And they changed every once a year or something.
6 Q Okay. So did you have an outstanding relationship
7 or friendship with one of those?
8 A I did. And if I didn't know them they knew me for
9 sure.
10 Q And what is the name of the person you had an
11 outstanding friendship with?
12 A In the guesthouse?
13 Q Yes.
14 A There was a person called Ozman***. He is an
15 Afghan. There was Assiwillaf***.
16 Q Where are those people now?
17 A The last I heard was Assiwillaf*** was killed and
18 Ozman*** is still in Pakistan.
19 Q Still in Pakistan?
20 A Yes.
21 Q You said you saw four Canadians passing through
22 the Khaldan Jalalabad guesthouse, didn't you?
23 A No, no. I saw these, I told you, two of them,
24 three of them I saw in Pakistan in our house.
25 Q Okay.

1 A And one in Khost in the guesthouse there, yes.
 2 Q So that's the only Canadians you saw. You didn't
 3 see Mr. Charkaoui there?
 4 A I didn't see him.
 5 Q Okay. So you saw Abu Ahmad El-Maati, is that
 6 correct?
 7 A Yes.
 8 Q And where is that fellow now?
 9 A That fellow, I am not sure. But the last I heard
 10 again he is in the tribal area.
 11 Q In the tribal area?
 12 A Yes.
 13 Q Sorry.
 14 A The tribal area is the area between Afghanistan
 15 and Pakistan.
 16 Q Sorry for that, I am not too...
 17 A No problem.
 18 Q I never travelled there.
 19 A Okay.
 20 Q Then Amer El-Maati?
 21 A You mentioned him.
 22 Q No. I mentioned Abu Ahmad.
 23 A Ahmed is in Toronto.
 24 Q Oh! Sorry.
 25 A Abu Ahmad El-Maati is in Toronto.

1 A Yes.
 2 Q Did you ever meet Ahmed Ressam there at the
 3 guesthouse?
 4 A I never met him.
 5 Q Did you ever meet him at the Khaldan camp?
 6 A I never met him either.
 7 Q Okay. Did you ever meet -- sorry about that.
 8 Ressam came from Canada. Why did you not meet him?
 9 A Ressam... at this point my answer was, she asked
 10 me about this and my answer was I don't remember.
 11 I don't remember meeting him.
 12 Q So Abu Ahmad and Amer El-Maati, sorry for the
 13 pronunciation by the way, are they Canadian
 14 citizens?
 15 A Yes.
 16 Q And Amer your friend from Vancouver is he a
 17 Canadian too?
 18 A He is Canadian.
 19 Q And that fourth fellow, the...
 20 A Idriss, he is Canadian.
 21 Q Is he a Canadian too?
 22 A He was arrested using Amer, Amer's passport.
 23 Q Oh! Okay.
 24 A Yes.
 25 Q For blowing up the embassy in Baku?

1 Q Okay. Amer is in the tribal area?
 2 A And Ahmad is in Toronto, yes.
 3 Q And both of them went to the Khaldan camp?
 4 A One of them went to the Khaldan camp and one was
 5 in Deronta.
 6 Q Okay. Then you said that your friend Amur from
 7 Vancouver.
 8 A Yes.
 9 Q He died during that bombing, etc.?
 10 A Yes, yes.
 11 Q Okay. What was his last name?
 12 A I do not know his last name. But I am sure you can
 13 find it in this, in the documentary.
 14 Q No, I couldn't find it. So.
 15 A Well, I am not sure of his last name.
 16 Q Then the fourth person, there is a fourth person
 17 name but you actually did not name.
 18 A His name was Idriss.
 19 Q Idriss. And where is he now?
 20 A Idriss was arrested in '98, I don't know, or '99.
 21 I am not sure. He was arrested in Baku in a cafe
 22 on the street by the CIA. They said that he was
 23 planning to blow up the embassy in Baku. the
 24 American embassy.
 25 Q In Baku?

1 A Trying to, plotting to.
 2 Q Sorry. I'm sorry.
 3 A Yes.
 4 Q So you never met Ahmed Ressam there?
 5 A No.
 6 Q Despite the fact he came from Canada. Do you speak
 7 French?
 8 A No.
 9 Q Okay. You never saw either Adil Charkaoui. Did you
 10 ever see, did you ever meet Mahmood Jaballah?
 11 A Yes, I did.
 12 Q Where did you meet him?
 13 A I met him in Pakistan and I met him here in
 14 Canada.
 15 Q Under what circumstances?
 16 A Just one second please.
 17 Q Sorry.
 18 A There is Mahjoub and there is Jaballah. I always
 19 mistake the two. So can you tell me which one is
 20 which?
 21 Q Okay. Mahmood Jaballah, Mahmood Jaballah is the
 22 father of six children.
 23 A Oh yes, he is the one. yes. His kids were with me
 24 in school when we were in Pakistan.
 25 Q Okay. So what was he up to in Pakistan?

1 A At the point he was working for some organization
2 there and then he just disappeared. And the next
3 thing I knew he was here in Canada.
4 Q Okay. Did you ever meet Mr. Mohamed Zeki Mahjoub?
5 A Mahjoub, I met him here in Canada. When he first
6 came there was another, there was another Arab, an
7 Egyptian that came from Pakistan. Mahjoub, as you
8 know, he came from Egypt. And this other Egyptian
9 he came from Pakistan. He lived in our house.
10
11 So I came to meet Abdurahman, I will just say, his
12 name is Abdurahman, I came to meet Abdurahman all
13 the time and so I got introduced to Mahjoub. And
14 then I know Mahjoub's wife and son Hanni (sic).
15 Hanni is a very good friend of mine. So I know
16 them both.
17 Q. Actually Mr. Mahjoub's wife testified that Hanni
18 and yourself are excellent, very very close
19 friends.
20 A Yes, we are.
21 Q You actually corresponded by Internet at the
22 time...
23 A Yes.
24 Q ... you were in Afghanistan or Pakistan, weren't
25 you?

1 Q Mr. Mahjoub, Mr. Jaballah and Mr. Marzouk were
2 wanted in Egypt and Mr. Marzouk actually is in
3 prison in Egypt.
4 A Hmm hmm.
5 Q You are not aware of that at all? It doesn't ring
6 a bell?
7 A No. Marzouk?
8 Q Marzouk, yes. It doesn't ring a bell?
9 A Marzouk. You see, I need to see his picture. Maybe
10 I am able to recognize him.
11 Q I don't have one. Sorry for that.
12 A Okay.
13 Q Do you know Mr. Abousofian Abdelrazik?
14 A Abousofian what?
15 Q Abdelrazik.
16 A Abdelrazik.
17 Q From Montreal. He is a Sudanese national, a black
18 fellow.
19 A No.
20 Q No?
21 A No.
22 Q Did you know Mr. Samir Ezzine?
23 A Again, I would need to see his picture, yes.
24 Q Okay. Sorry for that. I don't have a picture for
25 you. I apologize. Mr. Samir Ezzine do you know

1 A Yes.
2 Q And do you know the relationship between your
3 father and Mr. Mahjoub?
4 A The only knowledge that I have of a connection
5 between my father and Mahjoub is that my father is
6 the one that like set him up with a place to stay
7 because Mahjoub, when he first came to Canada he
8 was staying in my grandmother's house so that my
9 father set him up. But I don't know anything else.
10 Q Your father did he know him prior to his meeting
11 in Toronto?
12 A I don't know.
13 Q You don't know that. Okay. Do you know Mr.
14 Mohammed Marzouk?
15 A Mohammed Marzouk no, I don't.
16 Q You don't know him?
17 A I would need to...
18 Q He is an Egyptian. You don't know him?
19 A I need to see his picture.
20 Q Okay. I don't have a picture for you. If I say
21 that he...
22 A Again, I know -- everybody that I know over there
23 they have nicknames.
24 Q Okay. I don't have any nicknames.
25 A So I need their nicknames or a picture.

1 him?
2 A Samir what?
3 Q Ezzine.
4 A Ezzine, no. Picture.
5 Q You don't know him?
6 A I need to see a picture.
7 Q You never met him? Okay.
8 A No, I said I need to see a picture.
9 Q Okay, you need to see a picture.
10 A Yes.
11 Q And the last one is Abdallah Ouzghar. Do you know
12 him?
13 A No.
14 Q You never met him?
15 A I need to see a picture.
16 Q You need to see a picture?
17 A Yes.
18 Q Okay.
19 A Because I know at least three, four more Canadians
20 that were with us and one of them right now is
21 missing. Him and his family are missing. He lived
22 in Ottawa and then he moved next to Jaballah's
23 house. He was living with Jaballah in the same
24 building or across the building, I am not sure.
25 Then he bought a car from Jaballah or he sold a

1 car, I am not sure. And then he came to
2 Afghanistan, to Pakistan and then he came to
3 Afghanistan.
4 Q He went to the camps too?
5 A No. But he was staying with us. Again because he
6 was Canadian and he was staying with us in he
7 house. But he went missing. He went missing right
8 after the whole flee.
9
10 And there was another person that came from
11 Toronto. I am not sure of his name. But when he
12 came he stayed in our house in Peshawar. And he
13 came from Toronto. There is a Jami mosque there
14 and that is where he kind of met my father and
15 everything. And he came to Pakistan and stayed in
16 our house and then he went to Afghanistan. But he
17 is missing too.
18 Q So you have no names for me?
19 A I do not have names for you.
20 Q I have to have pictures. I apologize.
21 A Yes.
22 Q All those names of the persons, etc., you passed
23 the information to the CIA, didn't you?
24 A Yes.
25 Q And you had a relationship with the agency from

1 you never told anyone you worked for the CIA?
2 A Again, I never told anybody.
3 Q And then you were put with the general population
4 in Guantanamo Bay?
5 A Yes.
6 Q And you didn't tell anyone you worked for the CIA?
7 A No.
8 Q So there were other Arabs or...
9 A Yes.
10 Q ... people from other countries and so you
11 basically lied or at least came under cover for
12 them?
13 A Yes, yes.
14 Q You never told them the truth?
15 A No.
16 Q Okay. Then in Exhibit, I believe, I-2, page 16 of
17 24. It is the only reference I am going to make.
18 Me JOHANNE DOYON:
19 C'est quoi, A-2?
20 Me DANIEL ROUSSY:
21 C'est I-2, I-2.
22 Me JOHANNE DOYON:
23 Ah, c'est I. C'est I. Je pensais que c'était A.
24 Me DANIEL ROUSSY:
25 I.

1 2002...
2 A 2002.
3 Q ... up to recently?
4 A Until October.
5 Q Until October?
6 A November actually, November.
7 Q So you severed your relationship when you went
8 public?
9 A When I went public. Actually it severed when I
10 came back to Canada. I never had, you know, the
11 minute I got to Canada, actually the minute I went
12 to the embassy on Saturday morning that was it. I
13 never talked to them. I have never been in contact
14 with them.
15 Q Okay. So from 2001, of course it might be a naive
16 question, but when you were working for the CIA
17 you never told your friend you were working for
18 the CIA?
19 A My friend?
20 Q Well, your friends. You had friends at that point,
21 didn't you? So you never told anyone you were
22 working for the CIA?
23 A No. But I didn't tell anybody that I was working
24 for the CIA.
25 Q So when you were transported from Bagram to Cuba,

1 THE WITNESS:
2 A The one with the picture, right?
3 Me DANIEL ROUSSY:
4 Yes, the one with the picture, that's it. Page 16
5 of 24.
6 Me JOHANNE DOYON:
7 Just a moment. 16.
8 Me DANIEL ROUSSY:
9 Oui, c'est ça, 16 de 24.
10
11 Q You have a big paragraph starting by «hang myself»
12 at the top left.
13 A Ah, «hang myself», yes, okay.
14 Q The second paragraph after that.
15 «They moved me into another area of
16 Guantanamo. Normal room split to half.
17 Half of it is a bedroom and a bathroom
18 and then another half is a living room
19 and a kitchen and TV. They moved me into
20 this room. I was kept in this room for
21 five months. During the period they had
22 psychiatrists come to see me, doctors,
23 other, a lot of people from the CIA.
24 After five months, they said: "You know
25 what, we're going to move you out of

here.»

3 So they took you out of general population and put
4 you into a special room, didn't they?
5 A Yes.
6 Q Were there any other people with you in the
7 special room?
8 A In this big, it was, as I said, it was like a
9 compound and it was all surrounded by a fence. I
10 am not sure. I have my doubts. But the MPs that
11 were there and the CIA would not tell me. Because
12 if you are an agent, that is all you need to know.
13 You don't need to know if there is someone else
14 working for us or what is his name or anything.
15 Q But you had a brother right now in Guantanamo?
16 A I have a brother.
17 Q Did you know that your brother was the one...
18 A I did. I talked to him when I was in the general
19 population.
20 Q Okay. You talked to him when you were in the
21 general population?
22 A Yes.
23 Q So you talked to your brother at that point?
24 A Yes.
25 Q And after that you asked to be removed from the

1 A So it was just a week of training. So I wouldn't
2 say I learned a lot from it.
3 Q Okay. And at that point you were sent where, to
4 Bosnia?
5 A I was sent to Bosnia.
6 Q And you were asked to infiltrate whatever group?
7 A To go to the mosque and try to make contact.
8 Q So again you infiltrated. You lied to those
9 people?
10 A Yes.
11 Q And not telling them who you really are?
12 A Yes.
13 Q Like: "Hey, I am working for the CIA." If you tell
14 them those people what would they do to you?
15 A They would kill me.
16 Q Pretty much.
17 A Yes.
18 Q So basically you lied to them at that point?
19 A Hmm hmm.
20 Q All the time. And so from 2001 up to 2003,
21 November when you came back to Canada, your life
22 was basically trying to get information from
23 people?
24 A Yes.
25 Q That is pretty much what your job was?

1 general population to that special place?
2 A Yes. Not to the special. I asked just to be
3 released, to be moved.
4 Q And they moved you to that special room where you
5 had the TV and all the amenities for five months?
6 A Yes.
7 Q At that point what did you do? Did you have a
8 training, infiltration training?
9 A There was, as I said, there was doctors,
10 psychiatrists and yes, there was espionage
11 training. So yes.
12 Q Espionage training?
13 A Yes.
14 Q So you received espionage training?
15 A Yes.
16 Q How to infiltrate groups and things like that?
17 A Groups, yes.
18 Q So in a nutshell you learned how to pass yourself
19 for somebody you are not?
20 A Not that, but just how to, you know, monitor
21 someone, how to make contact, how to find a
22 location to meet an agent, stuff like that. Not a
23 really really big training. I never got a really
24 big training.
25 Q No, no, no.

1 A Hmm hmm.
2 Q So if you would have a CV, a resumé, and you put
3 the job somewhere and you could do it, you would
4 say: I worked for the CIA and what I did is...
5 A Provide information.
6 Q ... I gave information on people. Is that correct?
7 A Yes.
8 Q Okay. So you came back in 2003?
9 A Hmm hmm.
10 Q You gave that conference with Mr. Galati where you
11 lied to about a few hundred thousand if not a
12 million people about what you are and then you
13 decided to come clean?
14 A Yes.
15 Q What was the reaction of your family?
16 A I think you saw the reaction on the same
17 documentary.
18 Q They are not happy with you?
19 A At all.
20 Q Okay. And were there any other people who were not
21 happy with you?
22 A My grandmother where I was staying. That is why I
23 had to move out of there. And I think the rest of
24 the Arabs in Pakistan and Afghanistan that know
25 me.

1 Q Okay. Do you know if anybody else from outside our
2 borders watched that program with interest, like
3 in Jordan, Saudi Arabia or other countries?
4 A I have my uncles and aunts...
5 Q Who saw that?
6 A In Jordan, yes, and they watched.
7 Q And they were not happy with you?
8 A They are not happy either with the whole idea.
9 Q So tell me. If you say on TV that my family is Al-
10 Quaeda, could you go anywhere else after that? I
11 mean could you go to Saudi Arabia after that?
12 A Well, could I go, I could go. But how long would
13 I survive that is the question, yes.
14 Q And why is that?
15 A Because they would send someone after me.
16 Sometimes I don't feel safe here in Canada.
17 Q And again you said on TV my family is Al-Quaeda.
18 I had all this training in the camps and all. If
19 I am sent back to Jordan, for example, a country
20 lesser than Saudi Arabia, would you feel your life
21 is threatened?
22 A I wouldn't feel safe either.
23 Q What about Egypt? Because you are Egyptian, aren't
24 you?
25 A Oh, Egypt is just out of the question.

1 c'est sûr que je l'ai pas lu, ni les autres
2 documents.
3 LA COUR:
4 Je sais. Ça fait qu'il reconnaît, he does
5 recognize his signature?
6 Me DANIEL ROUSSY:
7 Yes, he does recognize.
8
9 Q You do recognize your signature?
10 A Yes, this is my signature.
11 Q Okay. And it is written the 13th of May 2004. Is
12 that an affidavit filed with the lawsuit right
13 now?
14 A Yes.
15 Q Against the Canadian government to get a passport?
16 A Yes.
17 Q Okay. So...
18 THE COURT:
19 Well, unless...
20 Me DANIEL ROUSSY:
21 I will file this if you don't mind.
22 THE COURT:
23 Maître Doyon?
24 Me JOHANNE DOYON:
25 Juste un petit moment. Si vous me permettez, je

1 Q You can't go to Egypt?
2 A No. There is no law and order there.
3 Q You are right now suing the government of Canada,
4 aren't you?
5 A For my passport.
6 Q Correct?
7 A Yes.
8 Q And you filed an affidavit in support of your
9 action?
10 A Yes.
11 Q And that affidavit, I will show you an affidavit
12 here. You tell me if it is your affidavit.
13 THE COURT:
14 Show it to maître Doyon first.
15 Me DANIEL ROUSSY:
16 Oui.
17
18 Q So if you turn to the fourth page.
19 A Hmm hmm.
20 Q Is that your signature there?
21 A Yes.
22 THE COURT:
23 Let's wait for maître Doyon.
24 Me JOHANNE DOYON:
25 Ecoutez, il peut l'identifier et tout ça mais

1 vais juste en prendre connaissance, d'accord?
2 THE WITNESS:
3 I would just like to point something out.
4 Me DANIEL ROUSSY:
5 Just wait a second.
6 THE COURT:
7 Let's wait for maître Doyon.
8 Me DANIEL ROUSSY:
9 Ça va. Can I file this document before I go any
10 further?
11 THE COURT:
12 I-3.
13 EXHIBIT I-3: Affidavit dated May 13th, 2004
14 filed with a lawsuit against the
15 government of Canada.
16
17 THE WITNESS:
18 Can I...
19 Me DANIEL ROUSSY:
20 Q Wait for my question, Mr. Khadr.
21 A Okay.
22 Q The first question I have is on your address.
23 A Yes.
24 Q A: paragraph 3.
25 A Yes.

1 Q So it doesn't say 3, Khartoum?
 2 A Yes, that is what I was going to point out.
 3 Q Okay. Sorry.
 4 A At the point where this was filed I was at this
 5 address.
 6 Q Okay. And why were you at that address?
 7 A Again because of the documentary.
 8 Q Okay. So that is where you were kicked out of the
 9 house?
 10 A Yes.
 11 Q Is that correct?
 12 A Yes.
 13 Q But now you are back at 3, Khartoum?
 14 A Because my mother is there.
 15 Q Okay. Did you reconcile?
 16 A Yes.
 17 Q Pretty much. And why did you reconcile?
 18 A I didn't reconcile with their thoughts. I thought
 19 with my family, that is the only thing I
 20 reconciled with.
 21 Q But I am more asking about them, did they
 22 reconcile with you?
 23 A With me they always bring up the documentary all
 24 the time. But as I told them: "Look, this is my
 25 idea. These were my thoughts and I brought them

1 aunts and cousins in Jordan and Saudi
 2 Arabia. I can't pursue any overseas
 3 education or opportunities I have and I
 4 have had my employment options severely
 5 curtailed. I have been contacted by an
 6 individual in the United States who
 7 wished to discuss job opportunities but
 8 I cannot meet with him unless I am
 9 issued a passport. I am the only
 10 Canadian I know who has been denied a
 11 passport and it makes me feel like a
 12 second-class citizen. I do not know why
 13 the Canadian government is treating me
 14 this way.»
 15
 16 Now, to come back to what you just said to me.
 17 A Yes.
 18 Q You can travel to Egypt, can't you?
 19 A I didn't say that. I said I can travel but how
 20 long can I survive.
 21 Q That's it.
 22 A That was my question.
 23 Q So you would not survive. You said there is no,
 24 you said exactly for Egypt.
 25 A Yes. I can travel.

1 out. I didn't judge anybody in them. I just said
 2 what I thought."
 3 Q Okay. So tell me again that lawsuit here, what is
 4 it about? You want your passport back?
 5 A I want my passport back, yes.
 6 Q And that is the thing that came in the newspapers
 7 front page Globe and Mail Monday, is that correct?
 8 A Yesterday and today.
 9 Q Okay. And basically you were denied your
 10 passport...
 11 A Yes.
 12 Q ... because of apparently some connection with Al-
 13 Qaeda, is that correct?
 14 A Hmm hmm.
 15 Q I want you to go to...
 16 A I was denied my passport why?
 17 Q Is it because of a connection with Al-Qaeda?
 18 A I didn't have any connection with Al-Qaeda.
 19 Q You don't have any connection?
 20 A Yes.
 21 Q I want you to go to paragraph 19 please.
 22 A Yes.
 23 Q You say in paragraph 19:
 24 «Without a passport I am unable to visit
 25 my late father's family in Egypt or my

1 Q There is no way you would go to Egypt.
 2 A Yes. Egypt is out of the question and all of these
 3 are out of the question. This is only brought up
 4 because my family is there and this should be
 5 brought up in an affidavit because I should have
 6 the right. That doesn't mean I will travel. That
 7 only means that I would like to travel or maybe in
 8 the future it will be safer. There will be a
 9 better government in Egypt or in Jordan.
 10 Q Do you realize this is quite confusing what you
 11 just said?
 12 A Why?
 13 Q I mean the point is:
 14 «Without a passport I am unable to visit
 15 my late father's family in Egypt.»
 16
 17 It implies that you want to visit your late
 18 father's family.
 19 A This is here to just show that I need a passport.
 20 And again, in all of this the only real reason
 21 that I put it in is a job opportunity in the U.S.
 22 Q In the U.S.?
 23 A Yes. Which I would like to go. Right now if I get
 24 my passport I would like to go. It is a book that
 25 I am writing about my story. But that is the only

1 place I would go to.
2
3 The rest was, me and the lawyer discussed this and
4 I said: "I wouldn't go." But he said: "Maybe in
5 the future you would like to go and you have the
6 right to write that down."
7 Q You just told us that you just severed your
8 relationship with the CIA, then you went public
9 about your relationship with the CIA.
10 A Yes.
11 Q Didn't the CIA tell you to kind of not go public
12 with your relationship?
13 A They told me.
14 Q And you went public anyway?
15 A Yes.
16 Q Don't you think they are not quite happy with you?
17 A They are not at all and they might do something to
18 harm me.
19 Q So don't you think that going to the U.S. might
20 present a problem for you?
21 A The only way to do it is I will have someone from
22 the media travel with me and be with me all the
23 time.
24 Q So...
25 A That is how I decided to do it.

1 Q To bomb people?
2 A Yes.
3 Q Okay. And then after that you moved to...
4 A Explosives.
5 Q Explosives.
6 A Hmm hmm.
7 Q So what does it mean? Like you assemble
8 explosives?
9 A Explosives is only to show you how to make a piece
10 of, let's say, C4 or C3 or TNT blow. That is the
11 only thing you learn. Then there is Deronta which
12 is another training camp. There is where you learn
13 to make explosives from normal stuff like sugar
14 and that kind of thing.
15
16 So anybody that has been in Deronta is dangerous.
17 But anybody that has been in Khaldan is not really
18 dangerous because if you can't get your hands on
19 TNT or C4 how you can really do something with it?
20 Q But if you get your hands on some C4 when you pass
21 through Khaldan you are going to know what to do
22 with it?
23 A Yes, you do.
24 Q Okay. And after that you said snipers or
25 something?

1 Q Okay, I am trying to understand that. You want a
2 passport but you want somebody from the media to
3 travel with you wherever you go?
4 A There is somebody that has already volunteered to
5 come with me, my friend Nazim from the CBC, the
6 one that produced this documentary. He is willing
7 to come with me.
8 Q So you are going to work in the U.S. and you are
9 going to have all the time someone with you?
10 A Not work. Just go and see the publishing agencies
11 about my book, that's all.
12 Q That is interesting. Let's go back to the Khaldan
13 camps quickly and I am going to wrap up.
14
15 You told us that at the Khaldan camp you studied
16 assault rifles. Then you could move to do another
17 course...
18 A Yes.
19 Q ... in mortars?
20 A Mortars.
21 Q Mortars. That is a thing in the ground with a big
22 grenade in it?
23 A Yes.
24 Q And goes like over mountains and things like that?
25 A Yes.

1 A Yes.
2 Q Do you have rocket propelled grenade courses?
3 A That is in assault. That is in assault rifles.
4 Q That is another...
5 A Yes.
6 Q ... branch?
7 A No, no, no. That is in assault, the first course.
8 Q Oh, the first course?
9 A Yes.
10 Q So you have rocket propelled grenade in the first
11 course?
12 A AK-47s and other assault rifles, U.S. and Russian
13 and Egyptian.
14 Q Handguns?
15 A Yes.
16 Q Then more developed weapons like...
17 A Handguns, again, is another course.
18 Q It is another course?
19 A Yes.
20 Q I apologize.
21 A I would have to show you what I took, yes.
22 Q Okay. But the rocket propelled grenade is part of
23 the course in assault rifles?
24 A Assault, yes.
25 Q All right. And correct me if I am wrong, all

1 right?
 2 A Okay.
 3 Q And please do so. During your testimony in chief
 4 you said that, I mean, every person should have a
 5 duty, like he is a Muslim, has a duty to go and
 6 defend himself.
 7 A Yes.
 8 Q And therefore attending those camps is quite
 9 normal, is that it?
 10 A Yes.
 11 Q You know, you just said after that that Islam is
 12 a peaceful religion.
 13 A Yes.
 14 Q Okay. I just can't...
 15 A Defending yourself doesn't mean being aggressive.
 16 Q Okay. With a mortar?
 17 A To learn to defend yourself -- no, no, no.
 18 Q With bombs?
 19 A No, not with that either.
 20 Q I just don't understand that.
 21 A Again, as I said, the first course is the most
 22 important and after that it depends if you want to
 23 take the rest and even when you get the rest.
 24
 25 And when I said earlier that Islam teaches you to

1 And they collect a lot of people. like forty
 2 people. They can't just give them a course of AK-
 3 47. So they give them a much bigger one. You might
 4 not need to use the rest or half of it. But at
 5 least, you know, you need to use one or two.
 6
 7 But the course is this. You want to take it you
 8 can take it. If you don't want to, you know, you
 9 can go back. That is how they give you the course.
 10 Q Okay. And just again, and I am sorry to pound on
 11 this one.
 12 A No, no, no, it's okay.
 13 Q But you told me a bit earlier that Islam is a
 14 peaceful religion?
 15 A I believe so.
 16 Q And I just don't understand why you would need to
 17 get a rocket propelled grenade course.
 18 A Again, Islam is peaceful. But Islam is not
 19 peaceful in a way you can do anything to it and it
 20 is still going to be sitting there. Islam is
 21 peaceful. If you let me be peaceful I will be
 22 peaceful. But if you attack me then Islam can be
 23 aggressive too.
 24 Q And people from Khaldan you said there is 20,000,
 25 30,000 graduates?

1 defend yourself, I didn't say that. I said even in
 2 Islam there is a part where it says you need to
 3 train. Whatever training you can get you need to
 4 get it.
 5
 6 So if you can't do anything with it today or
 7 defend yourself at least you need to have it with
 8 you. So if tomorrow there is an Islamic country
 9 being attacked you can go and defend it.
 10 Q But then you are going to have a course
 11 nonetheless in that first part, the course on the
 12 rocket, RPG, rocket propelled grenades, won't you?
 13 A What?
 14 Q You are going to have a course on rocket propelled
 15 grenades, RPG?
 16 A It is in the course, yes.
 17 Q So you absolutely need that to defend yourself?
 18 A You don't need it. It is again Rebutt***. It is
 19 called Rebutt***. Theword inArabic isRebutt***.
 20 Rebutt*** means tojust go and train and abide. It
 21 is just to train. It might be for self-defense.
 22 You might use it. You don't have to use the RPG.
 23 You can use the assault rifle. But this is the
 24 course they give. They don't give a course on one
 25 gun. That is a two-month course

1 A Approximately, yes.
 2 Q Approximately. And some people went to Chechnya
 3 and Bosnia, you said?
 4 A They went to Chechnya. They went to Bosnia. They
 5 went to...
 6 Q What were they doing in Chechnya and Bosnia?
 7 A They were defending Chechnya because it is an
 8 Islamic country.
 9 Q So would you call it a jihad or something?
 10 A It was a jihad, yes.
 11 Q Okay. And Bosnia was jihad too?
 12 A Also.
 13 Q And...
 14 A The Philippines, Kosovo. These people went from
 15 Khaldan to...
 16 Q Those are jihad locations?
 17 A Yes, to them. Not to me.
 18 Q Okay.
 19 A I have never been to any of those. To them.
 20 Q Well, you went to Bosnia. You went to Bosnia,
 21 didn't you?
 22 A Yes, I went to Bosnia to work for the other side.
 23 Q But in Bosnia there is a jihad right now and you
 24 went there undercover for a specific purpose. to
 25 recruit some people. didn't you?

1 A Not to recruit.
 2 Q Or to be recruited, sorry.
 3 A To be recruited.
 4 Q Okay. I apologize. My mistake.
 5 (S'adressant à la Cour)
 6 Avec votre permission, maître Cadieux va poser des
 7 questions.
 8 Me LUC CADIEUX:
 9 Q I have a few small questions to ask you.
 10 A Please.
 11 Me DANIEL ROUSSY:
 12 Moi j'ai pas d'autres questions, monsieur le juge.
 13
 14 CROSS-EXAMINATION BY Me LUC CADIEUX,
 15 Attorney for Respondents:
 16 Q Mr. Khadr, I just want to clarify a few quick
 17 points. I noticed you mentioned that you never
 18 really lived in Canada, correct?
 19 A I never really lived in Canada.
 20 Q You only came to Canada to collect money?
 21 A Yes.
 22 Q And then you went back to whether it was Pakistan
 23 or Afghanistan?
 24 A Yes.
 25 Q Correct. So basically you were the Canadian, the

1 A You are welcome.
 2 Me LUC CADIEUX:
 3 My Lord, if we may have... Excusez-moi. Si o
 4 pouvait avoir une pause de peut-être dix minutes,
 5 cinq minutes pour, cinq minutes pour consulter
 6 avec mon collègue.
 7 LA COUR:
 8 Pourquoi?
 9 Me LUC CADIEUX:
 10 Pour peut-être continuer le contre-interrogatoire.
 11 LA COUR:
 12 C'est justement ça.
 13 Me LUC CADIEUX:
 14 Donnez-moi cinq minutes pour décider.
 15 LA COUR:
 16 Alors vous, avez-vous des questions?
 17 Me JOHANNE DOYON:
 18 Bien, moi il va falloir que je lise I-1, I-2.
 19 C'est malheureux, là, mais je les ai pas lus
 20 avant. Parce que si vous auriez pu nous les
 21 envoyer, je les aurais eus avant mais bon. Alors.
 22 Me DANIEL ROUSSY:
 23 C'est des articles de PBS.
 24 Me LUC CADIEUX:
 25 Monsieur le juge, c'est un contre-interrogatoire.

1 famous Canadian family that never lived in Canada?
 2 A Yes.
 3 Q You said you had a special interest in Canadians
 4 when you were...
 5 A Any Canadian had a special interest in us.
 6 Q Because you were a special Canadian family?
 7 A Yes.
 8 Q Even though you never lived in Canada?
 9 A We were the only Canadian family Awa Ahmed (sic)
 10 El Kanadi. Anybody, you say it to anybody, even
 11 now, they will say: "Oh yes." I met a lot of
 12 people in Cuba that didn't know me. But they knew
 13 who I was.
 14 Q So you knew all the Canadians that went to
 15 Afghanistan?
 16 A Not all of them. I am saying there is a big chance
 17 that if there is any Canadian that comes to
 18 Afghanistan that I meet him.
 19 Q So there is a possibility that a Canadian could
 20 come to Afghanistan and you would not know?
 21 A Yes, there is.
 22 Q Is Mr. Charkaoui a Canadian?
 23 A He is a Canadian.
 24 Q Thank you. No further questions. Thank you very
 25 much.

1 Nos mains sont pas liées.
 2 Me JOHANNE DOYON:
 3 Non, je comprends. C'est pas un reproche que je
 4 vous fais.
 5 Me LUC CADIEUX:
 6 Non, non, mais...
 7 Me JOHANNE DOYON:
 8 Mais ce que je veux juste dire c'est qu'il va
 9 falloir que je les lise pour savoir si...
 10 Me LUC CADIEUX:
 11 On a des vidéos si vous voulez voir les vidéos. Je
 12 les ai si vous voulez les voir. Je peux vous
 13 passer les vidéos.
 14 Me JOHANNE DOYON:
 15 Je veux pas voir les vidéos mais ces pièces-là
 16 sont déposées.
 17 LA COUR:
 18 On va prendre un quinze minutes. Faites de votre
 19 mieux pour passer à travers puis vous, prenez le
 20 temps pour réviser vos notes.
 21 Me DANIEL ROUSSY:
 22 Oui.
 23 LA COUR:
 24 Et peut-être que... Moi j'aurais deux, trois
 25 questions, c'est tout. Je peux peut-être les poser.

1 pour vous permettre de réagir s'il y a lieu.
 2 Q I have a few questions, Mr. Khadr, for you.
 3 A Yes.
 4 Q Tell me, your English impresses me. Where did you
 5 learn English?
 6 A I did not learn English in Canada. I learned it
 7 with my family, not even with my family. I think
 8 that maybe most of the English I know I learned it
 9 in the two years that I was working with the CIA.
 10 Q Really?
 11 A Yes.
 12 Me JOHANNE DOYON:
 13 J'ai pas entendu, moi, du tout ce que vous avez
 14 dit tous les deux. Je m'excuse.
 15 THE COURT:
 16 I said that his English was impressing me.
 17 Me JOHANNE DOYON:
 18 O.K.
 19 THE COURT:
 20 And he said that he learned it in the way that he
 21 did in the recent years.
 22 THE WITNESS:
 23 Yes.
 24 THE COURT:
 25 In the past two years with his relation with the

1 Q He is still in Afghanistan?
 2 A Yes. He is on the run. He is in Pakistan.
 3 Q You mean he is hiding?
 4 A Yes.
 5 Q Do you know Abu Zubaida?
 6 A Abu Zubaida, yes. I have met Abu Zubaida more than
 7 once.
 8 Q More than once?
 9 A Yes.
 10 Q How many times did you meet him?
 11 A You may have to just point out which Abu Zubaida
 12 because there is more than one. If it is the Abu
 13 Zubaida that she told me about and I saw a picture
 14 of, the one that wears big glasses, then I know
 15 him, yes. He works for...
 16 Q Who showed you that picture? Just for the notes,
 17 for the record.
 18 A No, no, she didn't show me a picture but... She
 19 didn't show me a picture. But there is one famous
 20 Abu Zubaida. There is a lot of other ones but
 21 there is one famous which is the one that works
 22 for Khaldan, for Nisher el Libi*** and he is the
 23 one who is under detention now. The Americans have
 24 him.
 25 Q And was he a member of Al-Quaeda as far as you

1 CIA.
 2 Me JOHANNE DOYON:
 3 O.K.
 4 THE COURT:
 5 And that he did not learn English in Canada. That
 6 is my understanding.
 7
 8 Q Did I make a good summary of it?
 9 A Yes, yes, that is pretty much, yes.
 10 Q And you in the family which one, are you the
 11 oldest one?
 12 A I am the third.
 13 Q You are the third?
 14 A Yes.
 15 Q I understand that there is one with your mother
 16 who is handicapped?
 17 A Yes. That one comes after me.
 18 Q Okay. And he is in Toronto?
 19 A He is in Toronto.
 20 Q And he is a Canadian citizen?
 21 A And he is a Canadian citizen.
 22 Q And the first one is?
 23 A The first one is in Afghanistan. He is on the run.
 24 Q Still?
 25 A Still.

1 know?
 2 A Until 2000 he was not. But after that he became a
 3 member of Al-Quaeda also.
 4 Q And before 2000 what was he doing?
 5 A He was a member of Khaldan.
 6 Q What is that?
 7 A A member of Khaldan, the group Khaldan, yes.
 8 Q And how is it related to Al-Quaeda?
 9 A Khaldan was a separate group. Actually, there was
 10 a lot of conflict between Khaldan and Al-Quaeda
 11 because Khaldan did not believe in Taliban. They
 12 believed that Taliban was not right and Al-Quaeda
 13 believed in Taliban. So they said Taliban were
 14 right. So this was a big issue between Al-Quaeda
 15 and Khaldan.
 16
 17 Until 2000, the 2000 U.S.S. Cole attack that is
 18 when they both agreed that Taliban were right,
 19 that the Northern Alliance are taking help from
 20 America so we should be attacking them and we
 21 should help the Taliban. And then in 2001, after
 22 September 11, they actually became all one group
 23 which is Al-Quaeda.
 24 Q Leaving aside the different points of view of the
 25 two groups in relation to Afghanistan...

1 A Yes.
2 Q ... and Talibans, did they have the same
3 objective, Al-Quaeda and...
4 A No. Again...
5 Q ... Khaldan?
6 A And Khaldan. No. Al-Quaeda was after America all
7 the way from the beginning. Khaldan was there only
8 to train people. There were a lot of people who
9 came from all over the world to train in Khaldan.
10 These people went back and they are living their
11 normal lives now. A lot of them are very free
12 right now.
13
14 Al-Quaeda in its training camp, because they spend
15 more, I think I mentioned this earlier, they spend
16 more on every trainee. They want every trainee to
17 be, they want to ensure that every trainee when he
18 goes back he does something.
19 Q Okay. And the, I have a hard time pronouncing it
20 but Khaldan.
21 A Khaldan.
22 Q It is a training organization?
23 A It is a training camp and a group.
24 Q And worldwide?
25 A Yes.

1 Q So he was the coordinator of people arriving to be
2 trained?
3 A To Pakistan, yes.
4 Q To Pakistan and then they were travelling...
5 A From there we decided if they wanted to go
6 training or if they wanted to go to the frontline.
7 Q Did your father have any relationship with that
8 group?
9 A With Khaldan?
10 Q Yes.
11 A He was good friends with Nisher el Libi***, Abu
12 Zubaida, Abu Ahrehman*** and other trainers and
13 managers of their training camp. And again, as I
14 mentioned before, there was a container of
15 medicine and clothes that was sent to the camp. So
16 yes, he had a...
17 Q I understand that your father's group had a social
18 implication but also an ideological purpose?
19 A Yes.
20 Q That is my understanding of your testimony on
21 that.
22 A Yes.
23 Q Hierarchy-wise, would you be able, if you can't
24 you can't, situate me Mr. Zubaida in relation with
25 his group?

1 Q So therefore people come in from all countries?
2 A All over the world, yes.
3 Q And they go back and do their daily lives?
4 A Yes.
5 Q Assume their daily occupation?
6 A Hmm hmm.
7 Q So they are not officially a member of the group.
8 That is what you are saying?
9 A No, no. But Al-Quaeda, in the other case, Al-
10 Quaeda, every person that has done something I
11 think from '98 until, even before '98, I think all
12 the way from the '96 attacks on Saudi, everyone
13 that has done something from then until 2001 and
14 even after that, the Philippines and Riyadh and
15 all of these attacks, they have been all to Farooq
16 camp, to the famous Al-Quaeda camp.
17 Q Okay. Getting back to Mr. Zubaida, you called him
18 famous. Why is he famous?
19 A Abu Zubaida was in Chechnya for a while and Abu
20 Zubaida mainly handled the international people
21 that came in from around the world. So he handled
22 people from wherever they were in the world until
23 Pakistan. And from Pakistan, someone else took over
24 and brought them from Pakistan into the training
25 camp. So he mainly handled the tickets, passports.

1 A In the list?
2 Q Yes, hierarchy-wise. You mentioned three names I
3 think or two names?
4 A Yes, yes. The leader of the group is Nisher el
5 Libi***. Nisher el Libi*** is under detention in
6 Egypt. I won't say in Egypt because I am not sure.
7 I just think he is there. But he is with the
8 Americans. So he is detained with the Americans.
9
10 After that I think comes, after that comes Abu
11 Zubaida. So he is second hand.
12
13 Third is Abu Ahrehman*** which is the manager of
14 the training camp itself, not the whole group, the
15 training camp itself. And then there is Abou
16 Aasim.
17 Me JOHANNE DOYON:
18 Q Who?
19 A Abou Aasim, A-a-s-i-m. He is probably responsible
20 about all the courses in the training camp itself,
21 who is going into its course.
22
23 And after that there is a lot of small people. The
24 people that take care of the guesthouse I don't
25 really remember their names very well, and the

1 trainers.
2 THE COURT:
3 Q Thank you very much.
4 A No problem.
5 LA COUR:
6 C'était mes questions. J'en aurai pas plus. J'en
7 aurai pas d'autres. Je ne m'en tiens qu'à ça.
8 Me DANIEL ROUSSY:
9 Écoutez, on va prendre une pause mais...
10 LA COUR:
11 Alors je comprends qu'on fait nos travaux
12 respectifs et on se revoit.
13
14 Q So do you understand, Mr. Khadr?
15 A Yes.
16 Q What will be happening is that they will both
17 review their notes and see if they have further
18 questions for you.
19 A Okay.
20 LA COUR:
21 Alors je comprends qu'on procède demain matin?
22 Me DANIEL ROUSSY:
23 Ça dépend combien de temps que tu as parce que moi
24 je suis prêt à plaider ce soir, aucun problème.
25

1 LA COUR:
2 Maître Doyon, il est déjà rendu quatre heures
3 moins quart. Je comprends que vous avez des
4 contraintes. Normalement, on arrête à quatre
5 heures et demie puis on continue le lendemain.
6
7 Je comprends que vous avez des contraintes mais
8 dans la mesure du possible on va être capable, je
9 pense, tout le monde si on agit le moins
10 succinctement, de terminer ça demain matin.
11 Me JOHANNE DOYON:
12 C'est ça.
13 LA COUR:
14 Pour l'heure du midi. Je comprends que ça crée des
15 inconconvénients mais je veux pas mettre de pression.
16 C'est un dossier important pour madame, pour
17 maître Doyon.
18 Me DANIEL ROUSSY:
19 Je suis d'accord. C'est simplement que, écoutez,
20 de l'affidavit même je dois dire j'ai le même
21 problème que maître Doyon. Mais j'ai quand même
22 réussi à faire le contre-interrogatoire de
23 monsieur Khadr même si l'affidavit disait presque
24 rien par rapport à ce que monsieur Khadr a dit ce
25 soir.

1 Me JOHANNE DOYON:
2 Bien, pas moi. Moi, je vais vous dire ce que
3 j'aurais tendance à faire, c'est de prendre le
4 temps de lire ça. Je demanderai pas au monsieur
5 d'être libéré, d'attendre et de vérifier ce qu'il
6 y a comme information là-dedans. Je vais essayer
7 de le faire dans les quinze prochaines minutes.
8 Mais je vais profiter du temps qu'on a jusqu'à
9 demain matin pour les plaidoyers. Puis monsieur,
10 je sais qu'il a un avion demain soir. Donc il y
11 aura une petite marge de manoeuvre.
12 Me LUC CADIEUX:
13 L'avion est ce soir.
14 Me DANIEL ROUSSY:
15 Pour nous autres.
16 Me JOHANNE DOYON:
17 Non, mais pour monsieur c'est demain soir.
18 Me LUC CADIEUX:
19 Ah, excusez.
20 Me DANIEL ROUSSY:
21 Nous, on a un avion ce soir. On serait prêt, moi
22 jè suis prêt, après que maître Doyon ait terminé
23 avec le ré-interrogatoire, de procéder aux
24 plaidoiries.
25

1 Je comprends pas que c'est un problème ça qu'elle
2 ne savait pas à propos de ces reportages-là. Mais
3 je laisse ça dans vos mains.
4 LA COUR:
5 Je pense que c'est pas ça qui est important. Ce
6 que j'entends de maître Doyon, puis je veux pas la
7 protéger elle est assez grande pour le faire elle-
8 même, mais une plaidoirie c'est une plaidoirie,
9 des interrogatoires c'est des interrogatoires.
10 C'est deux choses complètement distinctes. Vous
11 êtes trois à chapeauter un dossier, elle est
12 seule. Je comprends que ça crée des inconconvénients.
13 Me DANIEL ROUSSY:
14 Oui, c'est vrai. C'est beau. Parfait.
15 LA COUR:
16 Alors pause jusqu'à quatre heures.
17 (COURTE PAUSE)
18 * * *
19 (REPRISE DE L'AUDIENCE)
20
21 Me JOHANNE DOYON:
22 Alors, monsieur le juge, après discussion avec mes
23 confrères ceux-ci ont plus de questions. Moi, je
24 vais poser quelques questions que je peux poser
25 maintenant. Puis la seule, peut-être que monsieur

1 reviendra demain matin aubesoin après lecture des
2 deux documents. Mais sinon, je le ferai pas
3 revenir. Donc c'est pour ça que je pose les
4 questions que j'ai tout de suite.
5 LA COUR:
6 Excellent.
7 Me JOHANNE DOYON:
8 Il pourra être libéré le cas échéant. On m'a
9 demandé de dire aussi que l'interprète n'était pas
10 requis si jamais demain matin ça reprenait.
11 LA COUR, s'adressant à l'interprète Ghabrial:
12 Vous êtes libéré. Merci infiniment.
13
14 RE-EXAMINATION BY Me JOHANNE DOYON,
15 Attorney for Petitioner:
16 Q Mr. Khadr, the only thing I want to ask you just
17 to clarify one point about, you said what is, I
18 don't remember exactly the question to you but it
19 was from where is Mr. Charkaoui. You said that
20 Charkaoui is a Canadian. What does it mean for you
21 when you answered that?
22 A I answered by saying if there is a person that is
23 from Canada, if there is a person that, you know,
24 identifies himself as Canadian or in a way, in any
25 way says that he is Canadian. But again, I said,

1 Q Okay. But who was saying that?
2 A This Abu Zubaida told the CIA and which worried me
3 because the person, the officer told me: "Do you
4 have relations with three girls? Who are these
5 three girls?" I said: "I don't have. I have been
6 very honest with you. And if you want to put me on
7 a polygraph, put me on one right now. I do not
8 have a relation with any girls."
9
10 But this was obviously a lie that he made up that
11 I had a relation with three girls in Kabul.
12 Q And when you are telling us that they were using
13 his...
14 A Injury.
15 Q Injury, what does it mean exactly, to be sure that
16 we...
17 A I am not sure what they meant exactly. But they
18 said that they are using that injury. So
19 supposedly because, I can't suppose in court but
20 they are using that injury to push it or either
21 put something in it, but I don't know.
22 Q To get him to talk?
23 A To get information, yes.
24 Q And that is it, that is what you know about the
25 treatment of Mr. Zubaida?

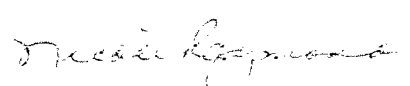
1 he asked me if I had, if there is a possibility
2 that I didn't see him. Yes, there is a
3 possibility. But then I would hear about him if I
4 didn't see him.
5 Q Okay. But when you said he is a Canadian for me it
6 means coming from Canada.
7 A Yes.
8 Q It doesn't mean a Canadian citizen.
9 A No, no, coming from Canada, yes.
10 Q Coming from Canada?
11 A Yes, coming from Canada.
12 Q About Mr. Zubaida, did you hear about mistreatment
13 by one way or another by the American authorities?
14 A When I was with the Americans themselves, they
15 told me that he was injured badly and that they
16 were using that injury to try to make him talk.
17 Q They were using this...
18 A That injury to try to make him talk. And there was
19 information that they brought about me that was
20 not true at all, I mean even that I proved to them
21 that it was not true.
22 Q Oh yes?
23 A Information like that had relations with three
24 girls in Kabul. They asked the same questions to
25 a lot of other people and they denied this.

1 A Yes, that is all I know. Other than that, what I
2 read in the papers.
3 Q Okay. About your declaration under oath over here,
4 you clarified already about your address.
5 A Hmm hhm.
6 Q There are two other points I want you to clarify.
7 At paragraph 7 of your declaration, do you have
8 it?
9 A No, I don't have it.
10 Q Okay. I will show it to you just to be sure. You
11 are saying here:
12 «In November 2001, I was detained in
13 Afghanistan by a former commander of the
14 Northern Alliance who held me for
15 ransom. I was later detained by Afghani
16 authorities.»
17
18 And then you say:
19 «I was liberated by U.S. authorities and
20 on March 23rd, 2003...»
21
22 And you continue.
23 A Yes.
24 Q When you are saying here I was liberated by U.S.
25 authorities...

1 A From NDS to the house. Because in the house I was
 2 like free. It was only house arrest even that I
 3 was allowed outside the house.
 4 Q It was what you mean...
 5 A Yes.
 6 Q And then paragraph 15 is it a mistake? I don't
 7 know, it is written on «April 2003», is it 2004?
 8 A Yes, that is 2004, yes.
 9 Q Okay. It is a mistake here?
 10 A Yes, it is a mistake, yes.
 11 Q Okay. Very good. Those are my questions.
 12 (S'adressant à la Cour)
 13 C'est mes questions. Je vais vérifier les
 14 documents puis je vous reviens.
 15 Me DANIEL ROUSSY:
 16 J'ai pas d'autres questions à suivre.
 17 Me JOHANNE DOYON:
 18 So we have no questions.
 19 THE COURT:
 20 Q Thank you, Mr. Khadr. I understand that maître
 21 Doyon wants you to stay around and make yourself
 22 available if need be at half past nine tomorrow.
 23 A Okay.
 24 Q So --
 25 (Addressing Me Doyon)

1 Me JOHANNE DOYON:
 2 Au complément.
 3 LA COUR:
 4 Au complément d'interrogatoire ou de ré-
 5 interrogatoire, demain matin c'est les
 6 plaidoiries. Combien de temps?
 7
 8 Je veux vous dire que j'ai lu tout, pas mal tout,
 9 et les mémoires sont très à point. Ils disent très
 10 bien le message. Tout ce que je dis ici si vous
 11 voulez me répéter ça, ça va. Si vous voulez
 12 m'amener maintenant dans la documentation, je
 13 pense que c'est ça qu'il faut faire. J'ai lu. J'en
 14 ai lu beaucoup de la documentation. Sentez-vous à
 15 l'aise de le faire. Mais répétez-moi pas ce qui
 16 est dans le mémoire pour tel...
 17 Me JOHANNE DOYON:
 18 O.K.
 19 LA COUR:
 20 Je comprends très bien la position des deux
 21 parties et les éléments de preuve. Si vous voulez
 22 maintenant plaider la preuve qui a été présentée,
 23 bien, là c'est de bonne guerre de la part des
 24 deux. Combien de temps pensez-vous?
 25

1 I guess you will be contacting him?
 2 Me JOHANNE DOYON:
 3 Yes, I will advise him.
 4 THE COURT:
 5 Or do you want him here?
 6 Me JOHANNE DOYON:
 7 I think he should come at nine thirty for sure --
 8
 9 Q Unless I call you.
 10 THE WITNESS:
 11 Okay.
 12 THE COURT:
 13 Q So be here at nine fifteen.
 14 A Okay.
 15 Q If you can.
 16 A Okay.
 17 Q Just to be on the secure side of things. Thank
 18 you, Mr. Khadr.
 19 A You are welcome.
 20 AND FURTHER DEPONENT SAYETH NAUGHT.
 21
 22
 23
 24
 25 LA COUR:
 Sujet à...

1 Me JOHANNE DOYON:
 2 Bien, je pense que ça peut se faire, considérant
 3 ce que vous dites là, bon, je pense que ça peut se
 4 faire en une heure de mon côté.
 5 Me DANIEL ROUSSY:
 6 Probablement vingt minutes de mon côté.
 7 LA COUR:
 8 Excellent. Alors merci et bonne soirée.
 9 (S'adressant à M. Adil Charkaoui)
 10 Monsieur Charkaoui, bonne soirée.
 11 FIN DE CETTE AUDIENCE
 12 * * *
 13
 14 Je, soussignée, NICOLE RAYMOND, sténographe
 15 officielle bilingue, certifiée sous mon serment
 16 d'office que les pages qui précèdent sont et
 17 contiennent la transcription exacte et fidèle de
 18 la preuve et du témoignage en cette cause, pris au
 19 moyen du sténomasque, le tout conformément à la
 20 loi.
 21
 22 ET J'AI SIGNÉ:
 23
 24 
 25 NICOLE RAYMOND, s.o.