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(Revised 1 March 2006)

Summary of Administrative Review Board Proceedings for ISN 081

The Administrative Review Board was called to order.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Designated Military Officer (DMO) was sworn.

The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.

The Presiding Officer asked the Detainee if he wished to make a statement under oath. (Muslim oath offered).

The Detainee declined taking the (Muslim) oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Notification of the Decision of an Administrative Review Board Form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 27 February 2006 and lasted 175 minutes. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the detainee. When asked if he understood the summary of evidence, had questions, wanted to attend the ARB, present a written or oral statements, or have the AMO speak on his behalf, the detainee said he wanted to pray before answering whether he would attend the ARB. The detainee was extremely cooperative, asked for clarification on 3b3 and 4f. The EC was offered the unclassified summary, in Arabic and English, and accepted the documents. A follow up interview is scheduled to determine his participation in the ARB.

The detainee provided written responses to the Unclassified Summary of Evidence, and plans on attending the ARB. The detainee was once again, very cooperative and

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responsive in his reply to questions. The detainee was not comfortable with signing his written statement and I did not force the issue.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1 and Exhibits DMO-2 to DMO-3 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

The Presiding Officer noted from the Enemy Combatant Election Form that the detainee did not elect how he would respond but that the AMO would read the detainee's written response after each allegation was read.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer: The detainee left Sudan in 1997 to work in Saudi Arabia. The detainee worked from job to job for four and one half years. Soon, he felt he was being called upon to spread the message of Islam to other countries. He obtained a visa in Riyadh, Saudi Arabia in order to go to Pakistan.

Assisting Military Officer (*for detainee*): Is leaving for spreading the message of Islam an accusation? And it's something very normal and I don't see it as prohibited internationally. In Sudan there are a lot of churches and a lot of Christian missionaries spreading Christianity in Sudan and elsewhere. And is what I did by spreading the Islam message considered an accusation that for it I stay four years and two months until now in Cuba, so I don't consider [it] an accusation.

Designated Military Officer: The detainee traveled from Saudi Arabia to Pakistan in February or March of 2001.

Assisting Military Officer (*for detainee*): Is traveling from one country to another considered to be an international felony/crime knowing that it's a Muslim country and I'm a Muslim? If I was American and I traveled to Guantanamo Bay without permission, in this case the American government considers it an accusation but I'm not American and I didn't travel to Guantanamo therefore it's not considered to be an accusation that made me stay four years in Cuba.

Presiding Officer: I accept and understand what you're saying. This is just helping us understand the timeline of your travels. Walid Mohammed do you have anything to add? (*The detainee shook his head no.*)

Designated Military Officer: The detainee drove to Quetta, Pakistan and stayed there for about 30 days in a house located next to a mosque. Many Afghans in this house had

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broken arms, legs, and other wounds. The detainee understood that this was a recovery house for the Taliban.

Assisting Military Officer (*for detainee*): I didn't understand that they were Taliban at the beginning of the matter but after entering Afghanistan I understood. Judge, in your opinion, is this considered to be an accusation that I stayed in a house knowing that this house has no connection with hostility toward American or activity (action) against America. So it's not considered to be an accusation that for it I stay four years in Cuba.

Designated Military Officer: The detainee and an operative traveled to a guesthouse in Konduz, Afghanistan where they stayed for one day. Many fighters of different nationalities stayed at the guesthouse. Vans transported fighters back and forth between the guesthouses and the front lines.

Assisting Military Officer (*for detainee*): That's why I said in accusation number three that I didn't understand that they were Taliban at the beginning of the matter and after I entered Afghanistan and stay[ed] at the second house I understood it after that, knowing that in this house I didn't see anything against America or activity against America, so it's not considered to be an accusation that for it I stay four years in Cuba.

Designated Military Officer: While at Konduz, Afghanistan, the operative gave the detainee two choices: either stay in Konduz, Afghanistan for da'wa or join the operative and his followers to fight in the front line against the Northern Alliance. The detainee chose to fight.

Assisting Military Officer (*for detainee*): You are replying/answering to yourselves in this accusation that you stated fighting against the Northern Alliance. So what does that have to do with America because the Northern Alliance at that time were not alliance/coalition to America but they were alliance/coalition to Russia, so I was going to fight Russian alliance/coalition and not America's alliance/coalition and after a year American entered Afghanistan and later after that the Northern Alliance became an ally to America. So this is not an accusation and America doesn't have the right to detain me for four years for that reason and ban my freedom.

Presiding Officer: Walid Mohammed, I understand that the Taliban and the United States were not engaged in hostility during this timeframe. Remember these factors speak to your level of commitment. Do you have anything you wish to add? (*The detainee shook his head "no."*)

Designated Military Officer: The detainee fought on the Khvej Ghar front lines outside of Konduz, Afghanistan. The detainee received training on the Kalashnikov at Khvej Ghar.

Assisting Military Officer (*for detainee*): So what about it, as long as I agreed to fight against Russian alliance. It's normal learning shooting the Kalashnikov weapon and I'm

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not making fun of you. But have you seen on a battlefield a man guarding or fighting with a glass of water in his hand using it [to] throw water at the enemy or rocks in his hands throwing them at the enemy if they attack him. Knowing that in America there are clubs to teach and train on a weapon and it's allowed every place, why is it forbidden for me to do that and be detained four years till now?

Presiding Officer: I understand the point that you make. I just want to remind you that this factor and the next two speak to the level of training you've received. Do you have anything else you would like to add? *(The detainee shook his head "no.")*

Designated Military Officer: The detainee received about a half-hour of training on the Kalashnikov. He became guard of the bunker area, which was about two or three kilometers from the front line.

Assisting Military Officer *(for detainee)*: As long as I agreed to fighting against the Northern Alliance the coalition of Russia so it's something normal that I guard but there weren't any bunkers there and I didn't guard bunkers and as long as I didn't guard or fight against America does America have the right to detain me for four years and ban me my freedom.

Presiding Officer: I understand what you're saying and actually I have a question for you. Did you think it was crazy that you were given a gun after only one half hour of training?

Detainee: I told you at the beginning that they would ask this kind of question. It was given so the weapon would stay with me. So he just showed me how to take apart the weapon, to clean the weapon, and to put it together and the weapon was supposed to be with me twenty-four hours a day and that's it. So he didn't need to sit everyday and show me how to take it apart and put it together, it only took him thirty minutes to show me. It didn't need to be done everyday.

Presiding Officer: Had you seen Kalashnikovs in Sudan?

Detainee: I've seen it in the television and the Army.

Presiding Officer: I understand.

Designated Military Officer: The detainee was able to visually identify the 7.62mm Kalashnikov, 7.62mm PK, 7.62 RP-46, RPG-7 (rocket-propelled grenade launcher), and the 7.62 SKS/Type 56. He said that he had seen them in Afghanistan.

Assisting Military Officer *(for detainee)*: This statement is not true. I said that I trained on the Kalashnikov only and I didn't say that I was able to identify types of weapons and their serial numbers. True that I saw a Kalashnikov and the RPG only, but I don't know

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their serial numbers as you stated now. So just by my knowledge of small weapons it makes me an enemy to America and be detained [for] four years and ban my freedom until now for that reason. Just because you recognize something on TV does not mean you know how it works or how to use it. They gave me instructions for 30 minutes only how to take apart the Kalashnikov, that's all.

Designated Military Officer: The detainee identified an individual whom he saw on two different occasions while in Afghanistan. The first sighting of the individual was when he came to the front lines to deliver food. Afterwards, he gave the detainee a pistol to fight, but no ammunition. The detainee did not have any previous weapons training. He also saw this individual handcuffed at Mazar-e-Sharif.

Assisting Military Officer (*for detainee*): I don't know what you are talking about and about which individual/person are you talking about, and secondly no one gave me a pistol as I was in Afghanistan I have never seen a pistol and I have never held a pistol in my hand and the only place I have seen a pistol is in the movies. Where did you come up with this statement? And if this statement was true as you stated, so just by me possessing a pistol, I get imprisoned for four years and ban my freedom until now.

Presiding Officer: I understand what you're saying. The important part of that is the association with the individual. Do you have anything further you'd like to add?

Detainee: What association to that person? Who is this person?

Presiding Officer: The next factor will address that; if you'd like to add anymore information now, fine. If you'd like to wait until we read the next factor, that's fine too.

Detainee: I don't have anything.

Designated Military Officer: The individual was an associate of an al Qaida leader. The al Qaida leader also instructed at the al Farouq training camp.

Assisting Military Officer (*for detainee*): Believe what I'm saying that I don't know this person which has association with al Qaida or as a trainee in the al Farouq camp. You stated that I saw him twice in the north of Afghanistan and I don't know myself if he is from al Qaida, and if he is from al Qaida as you stated, so just by seeing one of the members of al Qaida as you stated twice only for the first time, I was imprisoned four years until now and does that make sense?

Presiding Officer: I understand what you're saying. Do you have anything you wish to add?

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Detainee: How? I didn't understand the question. (*The Translator repeats the question for clarification*). When you started talking to me, you said Afghanistan used the spreading of Islam more over there...and used the da'wa, the spreading of Islam more...that's how we spoke.

Designated Military Officer: The detainee was with Arabs and guarded underground trenches that were used for sleeping and storing weapons.

Assisting Military Officer (*for detainee*): I was guarding against the Northern Alliance the ally of Russia and America doesn't have anything to do with this so why do I get imprisoned four years and ban [my] freedom.

Presiding Officer: Do you have anything to add? I have another short question for you. The men that you were with, were they Afghanis or Arabs or Pakistanis?

Detainee: There were Arabs, there were Pakistanis and there were Afghans. All the mujahideen were over there.

Presiding Officer: The men that you were working with, specifically to guard the bunkers, it was a mix or was it just Arabs or just Afghans?

Detainee: Guarding what?

Presiding Officer: When you were guarding the trenches and the bunkers, were you eating and sleeping and living with Arabs or a mixture of people from all countries?

Detainee: There were Arabs and there were Afghan and Pakistanis too.

Designated Military Officer: The detainee remained a guard until the American bombing started. The Taliban people there said that it was time to withdraw. The detainee withdrew to Konduz, Afghanistan, where the Taliban gave him and the others a house to stay in.

Assisting Military Officer (*for detainee*): I was guarding and when I knew that the Americans entered Afghanistan, I took my bag/suitcase to travel to Sudan and get married, because I didn't come to fight Americans. As I was on my way to my country, I was told that I wouldn't be able to travel to my country and not to fight the Americans is considered an accusation, so if I fought, I would've been accused and if I didn't fight I would be accused also, so where do we go?

Presiding Officer: Do you have anything to add? One question from me. Your commanders, the men that you reported to, they just let you pack up a suitcase and walk away?

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Detainee: It wasn't like an organized military. I was just a mujahid, a volunteer. We didn't have leaders. We didn't have commanders over us. We weren't part of an Army. We were just there as mujahideen, fighting as mujahideen. We weren't part of any military; we didn't have commanders.

Designated Military Officer: Konduz, Afghanistan, became surrounded and the Taliban said they reached an agreement with General Dostum's forces allowing the Pakistanis and Arabs to withdraw through Mazar-e-Sharif, Afghanistan.

Assisting Military Officer (*for detainee*): Oh Judge, do you know who General Dostum is? He's from the Northern Alliance forces an ally of Russia and after the Americans entered, he became against the Americans and entered in battles against them and became wanted by the Americans, and he was the ones we were fighting and this proves he wasn't an ally of America, this means the one we were fighting was an enemy of ours and an enemy of America so why/how am I imprisoned four years for that reason.

Designated Military Officer: The detainee and the others got on a truck unarmed and went on their way to Herat, Afghanistan, being led by vehicles from General Dostum's forces.

Assisting Military Officer (*for detainee*): Yes, to travel to my country and the proof is that the truck didn't have weapons in it and we didn't want to fight, but Dostum tricked us and entered us in a big castle and fired bullets at us and killed more than 350 brothers while they were handcuffed/tied with ropes and I was hit with a bullet while I was cuffed/tied up and after that the Americans came and took us to Kandahar and later to Cuba. And you have two movies about Al-Janki castle and Dostum's men firing at us and those two movies are here in Cuba and I have seen one of the movies myself. The movie is about two hours long. The bullet is in my stomach until now, I suffer pain until now, and I have been asking for clinic help for three years and I haven't had any answer from them. So what are the harms that I caused America to be imprisoned for four years?

Presiding Officer: Are you saying that you have been asking for medical treatment and you have not been given medical treatment for the bullet that's in your body?

Detainee: Three years I've been asking for the doctor to tell me are they going to be able to take the bullet [out] or are they not able to take the bullet? Or tell me an answer about my case or my bullet but [after] three years they haven't given me any answers back.

Presiding Officer: I understand. DMO, just please make note of that and pass that information on.

Assisting Military Officer (*for detainee*): That issue, when it surfaced in the interview, was run up through our chain of command and they're working on it.

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Presiding Officer: They're working on it? So that has already been passed on?

Designated Military Officer: Sir, I'll raise that again to add the force of numbers and try and get a response.

Presiding Officer: Do you have anything further to add?

Detainee: I don't want the issue about the bullet to be ignored. Please, I just wanted to know why they haven't taken the bullet out, why it's still there. I just want to know. I want an answer so I won't be asking this over and over again.

Designated Military Officer: The detainee arrived at a castle called Al-Janki, where they were searched and their valuables were taken by Dostum's forces. The detainee was taken to the basement of the castle where he spent the night. The following morning, the detainee was taken out into the yard when an explosion took place in the building. The guards at the castle started randomly shooting and many prisoners were killed. The detainee ran away from the building, but was eventually shot in the back.

Assisting Military Officer (*for detainee*): I didn't say I ran/fled from the building and I didn't get shot in the back while I was running/fleeing. This statement is not true. I was shot while I was handcuffed/tied with ropes. What is the harm that I have caused America from my injury; knowing that when I entered the castle there weren't any Americans there and I didn't fight Americans so why I'm imprisoned for four years and my freedom banned?

Designated Military Officer: The detainee was wounded during the uprisings at the detention facility at Mazar-e-Sharif, Afghanistan.

Assisting Military Officer (*for detainee*): Yes, I was shot with a bullet, which is inside my stomach between my kidney and my liver, and I suffer from severe pains since that time. And I ask from the clinic every week to look into my issue/matter but there isn't any reply/answer from them. And I always tell them, if you can't help me let me go to my country to get treated. So I didn't find the treatment and I didn't find my freedom in this life.

Designated Military Officer: The detainee began providing guidance on Islam approximately five years prior to his capture and traveled to Pakistan to guide Pakistani Muslims on how to pray, to fast, and to pray at a cemetery.

Detainee: There was a mistake with what the interrogators have printed about me. I didn't say I went to teach in a cemetery. I said I went there to teach. I didn't say I was teaching in a cemetery.

Designated Military Officer: The detainee believes that Islam is not a religion of fighting.

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Assisting Military Officer: The detainee provided no written response.

Designated Military Officer: The detainee never met Usama Bin Laden or any high-ranking members of the Taliban or al Qaida. The detainee never heard of any fatwa against America. The detainee does not know of anyone that trained for or was asked to participate in a martyrdom mission.

Assisting Military Officer: The detainee provided no written response.

Designated Military Officer: The detainee denied having any knowledge of attacks in the United States prior to their execution on 11 September 2001, and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

Assisting Military Officer: The detainee provided no written response.

Designated Military Officer: The detainee denied having knowledge or planning of internal uprisings at the Guantanamo detention facility.

Assisting Military Officer: The detainee provided no written response.

Detainee: The word denied has a different meaning here. Because the word deny sometimes means you must have known it and then denied it, but they should have written down, "Does Not Know," instead of denied.

Presiding Officer: I understand the point you make.

Designated Military Officer: In August 2005, the detainee advised he felt like he was being punished for being honest. The detainee advised he told the first Administrative Review Board that he would kill Americans if they invaded his country. He stated he believes this statement is what is keeping him incarcerated at Guantanamo Bay. The detainee stated if released, he would not go to Iraq to kill Americans and his only desire is to return to Sudan, marry, and start a family. After his experience in Afghanistan, he stated he would never return there.

Assisting Military Officer (*for detainee*): That is why I don't talk to interrogators anymore. They twist what you say to conform to their ideas about you. I was asked by interrogators, would you kill Americans? I said, "No." [The interrogators asked] if Americans invaded your country would you kill them? I said, "No." [The interrogators asked] if Americans invaded your house would you kill them? I stated, "I would kill anyone trying to harm my family."

I attended the first court session and I replied on the accusations like these and I was told *that the result will appear in a few months and the court result appeared after a complete year* and I was told that I pose a threat on America. I don't know what threat I pose to America. And you now brought me accusations and I replied to all of them and all of

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them don't pose a threat and after a year you will tell me that you pose a threat on America so I don't know what is our understanding of a threat. What do you mean by a threat? What is a threat to America so I don't get imprisoned 100 years for misunderstanding? My question to the Judge: If I were from a wealthy country with a super power or a European country, would I have been released?

Presiding Officer: Since you asked me a direct question, I will give you a direct answer. I don't know. I cannot determine your release, transfer, or detention. I can only make recommendations as to what the Board believes is the best way to proceed.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

The Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.

The Assisting Military Officer stated that he had no additional comments.

The Assisting Military Officer had no further questions for the Detainee.

The Designated Military Officer had no further questions for the Detainee.

Administrative Review Board Member's questions:

Presiding Officer: I have a few questions. ISN 081, I'm glad you came here today. We're not interrogators. We're here to make recommendations as to your future here and your presence helps us make these recommendations. How old were you when you left Sudan?

Detainee: Twenty-two years.

Presiding Officer: Do you have brothers?

Detainee: Yes.

Presiding Officer: Are you the oldest?

Detainee: I'm the middle.

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Presiding Officer: If you return to Sudan, would you return back to your family?

Detainee: I would go and get married.

Presiding Officer: Has your family worked to find you a wife?

Detainee: I do not know.

Presiding Officer: What would you do for work if you return to Sudan?

Detainee: I do not know. I would go there and find a job. I don't know what the situation is right now in Sudan.

Presiding Officer: Are you concerned that the Sudanese government might not like to have you back there after being in Afghanistan?

Detainee: I don't have any problems with the Sudanese government.

Presiding Officer: Earlier in the unclassified evidence, you mentioned about going into Afghanistan to instruct Islam. Did you enter into Afghanistan with the intention to teach Islam? Is that correct?

Detainee: Yes.

Presiding Officer: What made you change your mind and decide to fight the Northern Alliance Forces?

Detainee: It's all part of Islam. The jihad, the teaching, the haj, and the fasting; it's all part of Islam.

Presiding Officer: I understand what you're saying. I'm curious about, at what point did you decide that you have finished your obligation to fight, and you would then return back to either to teaching Islam or back to your family in Sudan?

Detainee: I don't understand.

Presiding Officer: To fight an enemy is part of your obligation for jihad, how do you decide when to stop fighting? Because there's fighting going on all the time.

Detainee: I didn't understand the question. In the Qúran, it says first, try to make peace and then if peace doesn't come, then fight until things go back to normal to where there was peace before. That's when the fighting stops. When there is peace. First, you try to do it peacefully, to have peace, but if they refuse, if people refuse to have peace, then you fight until the peace comes backs. That's what it says in the Qúran.

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Presiding Officer: If you go back to Sudan, I understand your experience here in Guantanamo may make you bitter toward Americans. What are you going to say about Americans when you return to Sudan or if you return to Sudan?

Detainee: How? I didn't understand the question.

Presiding Officer: I'm assuming that you're bitter because of your experiences here at Guantanamo Bay about Americans. I'm curious about how much of that bitterness you are going to carry with you back to Sudan if you are transferred or released to Sudan. What would you say about Americans when you return home?

Detainee: It's no use. I'm not needed to say anything about Americans. The newspapers, the media, people in other countries are talking about Americans. They know what Americans are doing, are saying. People who visit Guantanamo know about Americans, [they] know about the injustice that has been done here. So there is no use, no need for me to say anything. They already know what's happened over here, what the Americans do, what the Americans say. Everyone already knows, so I'm not going to say anything because everyone else knows whatever I know. They see more than I see. They have seen more than I [have] seen. So by reading the newspapers or the media, people know more than what we know here. For example, if someone who asked about the torture, if someone was tortured by Americans and he's out, he already has spread the news here. I mean, the news has already been out, been in the newspaper, so people outside know more than what we know already about America. Even if I leave and I say anything, there is no value, no benefit to what I'm saying because everyone knows more than I do.

Presiding Officer: I apologize because you misunderstood my question and it's probably because I didn't ask the question very well. Even in America, everybody has the right to criticize or applaud American policies, [but] I'm not talking about American policies. I assume you have not had much contact with Americans until you came to Guantanamo Bay so I'm interested in your feelings about the individual Americans you've met here. What [would] you say about American men and women that you have met here at the Camp in Guantanamo.

Detainee: Very normal feelings. All fingers are different. I've seen good soldiers, I've seen bad soldiers. I've seen good interrogators, bad interrogators, and this is the nature of human beings.

Presiding Officer: That is a very fair answer.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

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Due to an oversight, the Unclassified Exhibit EC-C, Enemy Combatant's Written Statements, was conveyed to the Presiding Officer during the Classified portion of the Administrative Review Board proceedings. However, the Presiding Officer noted that the AMO read the EC-C verbatim during the unclassified portion of the proceedings.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

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



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١٢ ومن المخرج من أجل الدعوة ونشر رسالة الإسلام تهمة . وهذا شيء طبيعي جداً . ولا أدري بأنه ممنوع أم لا . ففي السودان يوجد كثير من الكنائس وكثير من التبشيرية النصارى ينشرون الدين النصارى في السودان وتفيد السودان ومن ما فعلته في نشر رسالة الإسلام يعتبر تهمة من أجلها أمكن في السجن أربع سنوات مشرقة و إلى الآن فانا لا اعتبرها تهمة .

١٣ هل يعتبر إجرام دولي السفر من دولة إلى دولة علماً بأنها دول إسلامية وأنا مسلم . إذا كنت أمريكى وسافرت إلى خليج نمواتنا من غير إذن الحكومة الأمريكية في هذه الحالة تعتبر تهمة ولكن ليس أمريكى ولم أسافر إلى نمواتنا إذا لا تعتبر تهمة أمكن من أجلها أربع سنوات في كوربا إلى الآن .

١٤ أنا لم أكن أفهم بأنهم طالبان في بداية الأمر ولكن بعد دخول أفغانستان فهمت . في رأيك أيها القاضي هل هذه تعتبر تهمة بأني جسست في بيت علماء بان هذا البيت ليس له علاقة بالسودان على أمريكا أو نشاط ضد أمريكا . إذا لا تعتبر تهمة أمكن من أجلها أربع سنوات في كوربا .

١٥ لذلك قلت في التهمة رقم ثلاثه ٣ بأني لم أفهم بأنهم طالبان في بداية الأمر وبعد دخولهم إلى أفغانستان وجسست في البيت الثاني فهمت بعد ذلك علماء بان هذا البيت لم أرى فيه شيء ضد أمريكا أو نشاط ضد أمريكا إذا لا تعتبر تهمة أمكن من أجلها أربع سنوات وإلى الآن في كوربا .

١٦ أتم تردون على انفسكم في هذه التهمة بأن قلتم انتم ضد التحالف الشمالي . إذا ماذا يخص أمريكا في ذلك لأن التحالف الشمالي في ذلك الوقت لم يكن حليف لا أمريكا بل كانت حليفه لروسيا . إذا أنا كنت ضد مقاتل حليف روسيا وليس حليف أمريكا وبعد سنة دخلت أمريكا إلى أفغانستان وبعد ذلك حاربت التحالف الشمالي حليف لا أمريكا . إذا هذه ليست تهمة ولا يحق لا أمريكا بأن تحبسني أربع سنوات من أجل ذلك وتمنعني من حريتي

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والطلقة مدججده في بطنى إلى الآن وعاى من الالام شديده اى الان
ولي ثلاثه سننات اطلب من الرباده مساعدتهم ولكن لم أجد اجابه
نما هو الرضف الذى جاء لأمريكا حتى اسجن اربع سننات .

٤) أنا لم اقل هربت من الحبس ولم اهرب من ظهري وانا هارب هذا كلام
غير صحيح أنا اصبحت وانا متقيده بالحبس . وما هو الرضف الذى جاء لأمريكا
من اهابيتى علماً حين دخلت القولده لا يوجد امريكان ولم اقاتل امريكا
فلما اسجن اربع سننات وامنح من حريتى .

٥) نعم اصبحت والطلقة مدججده داخل بطنى بين الكليه والكبد وعاى من
الالام شديده منذ ذلك الوقت . واطلب من الرباده كل اسبوع النظر فى
أمرى ولكن لا يوجد اجابه منهم وانا اقول لهم دائماً اذا لا تشضطيهوا
مساعدتى انكوتى اذهب الى بلدى لكى اتعالج فلم أجد العلاج ولم أجد
حريتى فما هذه الحياه .

(*) ملحوظة :-

انا حضرت الجلسة الاولى للمحكمه وكان ردي للثلاثه مثل هذا وقيل
لي سوف يظهر النتيجة فلا انشهر توليد وظهرت نتيجة المحكمه
بعد سنه كامله وقيل لي انت تشكل خطر على امريكا فانا لا أدرك
اى خطر تشكله على امريكا . وانتم الان احضرتهم لي وهم
واحببت عايرها وكلها لا تشكل خطر وبعد سنه سوف تقول لي
انت تشكل خطر على امريكا فانا لا اعرف ماهو مفهوم الخطر على
الامريكان حتى لا اسجن بعد الفهم . . . سنه .

سؤال إلى القاضى ؟ هل اذا كنت أمن دوله غنيه ذات قوه دوله
أو دوله امريكيه هل كان سوف يتم اطلاق سراحى .

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(٤) وأنا لم أقل سمعدي إنما قلت يتكلم الله العربية جيداً لئلا يكون
رجل من أي دولة ويتكلم الله العربية جيداً كما يوجد هنا أمريكيان
يتكلمون الله العربية جيداً بدرجته التي تقول عليه أنه عربي وهذا
يعتبر أنهم في نظرك أيها القاضى حين يقول لي شخص اذهب إلى
افغانستان لتقود الإسلام . من أجلها أسجنت أربع سنوات وأمنح
من حريتي .

(٥) كنت أحرص ضد التحالف الشمالى حليف روسيا وأمريكا ليس له
دخل في ذلك فلماذا أسجنت أربع سنوات وتمنعني من حريتي
والى الآن .

شأن النية :-
لا يوجد

جاء معلومات أخرى ذات صلة :-

(١) كنت أحرص وحين عرفت أن الأمريكان دخلوا افغانستان اخذت حقيبتى
من أجل السفر إلى السودان واتزوج لئلا أحمق لقتال الأمريكان وأنا
في الطريق إلى بلدى قيل لى لن تستطيع السفر لنا أمريكا تخطت كل الطرق
خرجت إلى مكافى . ففعل حين أقرر السفر إلى بلدى وعدم قتال الأمريكان
يعتبر أنهم إذا قاتلتهم وإذا لم اقاتلهم أنهم أيضا ضاين نذهب

(٢) هل تعرف من هو الجلال دستم أيها القاضى هو من قواد التحالف الشمالى
حليف روسيا ويريد دقيل الأمريكان حمار حليف الأمريكان ويريد فترة
توليده حمار ضد الأمريكان ودخل معهم في معارك وحمار مطلوب التقيد
عليه من الأمريكان. هذا الذى كنا نقاتله وهذا دليل بأنه ليس حليف أمريكا
يعنى الذى كنا نقاتله عدونا ولا أمريكا فكيف أسجنت أربع سنوات من أجل ذلك

(٣) نعم لكن اسأخز إلى بلدى والدليل الحافله ليست فيها سلاح ولولا ذلك لقاتل
ولكن دستم خدعنا وأدقنا في قلعه كبيره ورعى علينا الدماء وقتل
من أكثر من ٣٥٠ ألف . وهم مقيدون بالحياى وأنا أبيت بطلقه وأنا
مقيد 2005هـ جاء الأمريكان واخذوني إلى قندهار ثم إلى كابل .

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٥ تدريب :-

① وماذا نفي ذلك مادام وافقت القتال ضد حليف روسيا من الطبيعي
أن اتعلم الضرب على سلاح الكلاشنكوف وأنا لا اسخر منك ولكن هل
أنت في أرفق معركة دون يحرس أو يقاتل ويبدد كاس ماء يدرش بها على
العدو أو يبدد حبات يمسح بها على العدو إذا هجم عليه . علماً بأنه
يوجد في أمريكا وأوروبا أفراد لتعليم والتدريب على السلاح ومسمع في كل
مكان لماذا أنا ممنوع من ذلك وأسجن أربع سنوات وإلى الآن .

② مادام وافقت القتال ضد التحالف الشمالي حليفه روسيا فهذا شيء
طبيعي أن احرس ولكن لم يكن يوجد مستودعات ولم احرس مستودعات
ومادام لم احرس أو اقاتل ضد أمريكا هل يحق لأمريكا أن تحبسني
أربع سنوات وتمنعني من حريتي .

③ هذا كلام غيبي صحيح أنا قلت بأنني تدربت على الكلاشنكوف فقط ولم أقل
بأنني قادر على أن اتعرف على انواع الاسلحة وأرقام الاسلحة صحيح
مشاهدت الكلاشنكوف وأرجو فقط ولكن لا أعرف الرقم التسلسلي له
كما تقولون الآن . وهل بمجرد معرفتي للأسلحة الصغير أكون عدو
لأمريكا وأسجن أربع سنوات وامنع من حريتي من أجل ذلك إلى الآن .

٥ ارتباطات ، انضمامات .

① لا أدري عن ماذا تتكلمون وعن أي شخص تتكلمون ثم ثانياً لم يعطيني
أي أحد مهندس فانا في أفغانستان لم أرى مهندساً ابداً ولم امسك
مهندس بيدي ابداً ولم أرى المهندس إلا في الأفلام من أين أتيتهم
بهذا الكلام . وإذا كان الكلام صحيح كما تقولون فهل بمجرد ذيارتي لمسعر
أسجن أربع سنوات وامنع من حريتي وإلى الآن .

② احدكم القول بأنني لا أعرف هذا الشخص الذي له ارتباط بالقاعدة او مدرّب في معسكر
الفاووق ، أنتم تقولون بأنني شاهدته مرتين في شيمان أفغانستان . وأنا لا أعرف
أنه من القاعدة وإن كان من القاعدة كما تقولون فهل بمجرد مشاهدتي
لأحد من أفراد القاعدة كما تقولون مرتين فقط لأول مرة أسجن أربع
سنوات إلى الآن فهل هذا يعقل .

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Statement of Mr. Walid Mohammad Haj Mohammad Ali

3. Replying to the primary factors that favor continued detention.

a. Commitment

1. The detainee left Sudan in 1997 to work in Saudi Arabia. The detainee worked from job to job for four and one half years. Soon, he felt he was being called upon to spread the message of Islam to other countries. He obtained a visa in Riyadh, Saudi Arabia in order to go to Pakistan.

Replying to above: Is leaving for spreading the message of Islam an accusation. And it's something very normal and I don't see it as prohibited internationally. In Sudan there are a lot of churches and a lot of Christians missionaries spreading Christianity in Sudan and elsewhere. And is what I did by spreading the Islam message, is it considered to be an accusation that for it I stay four years and two months until now in Cuba, so I don't considered an accusation.

2. The detainee traveled from Saudi Arabia to Pakistan in February or March of 2001.

Replying to the above: Is traveling from one country to another considered to be an international felony/crime knowing that it's a Muslim country and I'm a Muslim. If I was American and I traveled to Guantanamo Bay without permission, in this case the American government considers it an accusation but I'm not American and I didn't travel to Guantanamo therefore it's not considered to be an accusation that made me stay four years in Cuba.

3. The detainee drove to Quetta, Pakistan and stayed there for about 30 days in a house located next to a mosque. Many Afghans in this house had broken arms, legs, and other wounds. The detainee understood that this was a recovery house for the Taliban.

Replying to the above: I didn't understand that they were Taliban at the beginning of the matter but after entering Afghanistan I understood. Judge, in your opinion, is this considered to be an accusation that I stayed in a house knowing that this house has no connection with hostility toward America or activity (action) against America. So it's not considered to be an accusation that for it I stay four years in Cuba.

4. The detainee and an operative traveled to guesthouse in Konduz, Afghanistan where they stayed for one day. Many fighters of different nationalities stayed at the guesthouse. Vans transported fighters back and fourth between the guesthouse and the front lines.

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Replying to above: That's why I said in accusation # 3 number three that I didn't understand that they were Taliban at the beginning of the matter and after I entered Afghanistan and staying at the second house I understood it after that, knowing that in this house I didn't see anything against America or activity against America, so it's not considered to be an accusation that for it I stay four years in Cuba.

5. While at Konduz, Afghanistan, the operative gave the detainee two choices: either stay in Konduz, Afghanistan for da'wa or join the operative and his followers to fight in the front line against the Northern Alliance. The detainee chose to fight.

Replying to above: You are replying/answering to yourselves in this accusation that you stated fighting against the Northern Alliance. So what does that have to do with America because the Northern Alliance at that time were not alliance/coalition to America but they were alliance/coalition to Russia, so I was going to fight the Russian alliance/coalition and not Americas' alliance/coalition and after a year America entered Afghanistan and later after that the Northern Alliance became an ally to America. So this is not an accusation and America doesn't have the right to detain me four years for that reason and ban my freedom.

b. Training

1. The detainee fought on the Khvej Ghar front lines outside of Konduz, Afghanistan. The detainee received training on the Kalashnikov at Khvej Ghar.

Replying to above: So what about it, as long as I agreed to fight against the Russian alliance so it's normal learning shooting the Kalashnikov weapon and I'm not making fun of you. But have you seen on a battlefield a man guarding or fighting with a glass of water in his hand using it throw water at the enemy or rocks in his hands throwing it at the enemy if they attack him. Knowing that in America there are clubs to teach and train on a weapon and it's allowed at every place, why is it forbidden for me to do that and be detained four years till now?

2. The detainee received about a half hour of training on the Kalashnikov. He became a guard of the bunker area, which was about two or three kilometers from the front line.

Replying to above: As long as I agree fighting against the Northern Alliance the coalition of Russia so it's something normal that I guard but there weren't bunkers there and I didn't guard bunkers and as long as I didn't guard or fight against America does America have the right to detain me for four years and ban me my freedom.

3. The detainee was able to visually identify the 7.62mm Kalashnikov, 7.62mm PK, 7.62 RP-46, RPG-7 (rocket-propelled grenade launcher), and the 7.62 SKS /Type 56. He said that he had seen them in Afghanistan.

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Replying to above: This statement is not true, I said that I trained on the Kalashnikov only and I didn't say that I was able to identify types of weapons and their serial numbers. True that I saw a Kalashnikov and the R P G only but I don't know their serial numbers as you stated now. So just by my knowledge of small weapons it makes me an enemy to America and be detained four years and ban my freedom until now for that reason.

c. Connections/Associations

1. The detainee identified an individual whom he saw on tow different occasions while in Afghanistan. The first sighting of the individual was when he came to the front lines to deliver food. Afterwards, he gave the detainee a pistol to fight, but no ammuniton. The detainee did not have any previous weapons training. He also saw this individual handcuffed at Mazar-e-Sharif.

Replying to above: I don't know what you are talking about and about which individual/ person are you talking about, and secondly no one gave me a pistol as I was in Afghanistan I have never seen a pistol and I have never held a pistol in my hand and the only place I have seen a pistol is in the movies. Where did you come up with this statement? And if this statement was true as you stated, so just by me possessing a pistol I get imprisoned for four years and ban my freedom until now.

2. The individual was an associate of an al Qaida leader. The al Qaida leader also instructed at the al Farouq training camp.

Replying to above: Believe what I'm saying that I don't know this person which has association with al Qaida or as a trainee in the Al Farouq camp, you stated that I saw him twice in the north of Afghanistan and I don't know myself if he is from al Qaida, and if he is from Al Qaida as you stated, so just by seeing one of the members of al Qaida as you stated twice only for the first time, I was imprisoned four years until now and does that make since?

3. While in Pakistan, the detainee met a Saudi Arabian man. He tried to convince the detainee to go to Afghanistan to teach Islam.

Replying to above: And I did not say Saudi but I said that he spoke good Arabic language, it's possible for that man to be from any country and speaks good Arabic language like there are here Americans who speak Arabic language well to the level that you say that they are Arab, and Oh, Judge in your opinion is this considered an accusation when a person tells me to go to Afghanistan to teach Islam. For that I was imprisoned for four years and ban my freedom.

4. The detainee was with Arabs and guarded underground trenches that were used for sleeping and storing weapons.

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Replying to above: I was guarding against the Northern Alliance the ally of Russia and America doesn't have anything to do with this so why do I get imprisoned four years and ban freedom.

d. Intent

N/A

e. Other Relevant Data

1. The detainee remained a guard until the America bombing started. The Taliban people there said that it was time to withdraw. The detainee withdrew to Konduz, Afghanistan, where the Taliban gave him and the others a house to stay in.

Replying to above: I was guarding and when I knew that the Americans entered Afghanistan, I took my bag/suitcase to travel to Sudan and get married, because I didn't come to fight Americans. As I was on my way to my country I was told that I wouldn't be able to travel because America closed all the roads so I returned to my place. So when I decide to travel to my country and not to fight the Americans is considered an accusation, so if I fought, I would've been accused and if I didn't fight I would be accused also, so where do we go?

2. Konduz, Afghanistan, became surrounded and the Taliban said they reached an agreement with General Dostum's Forces allowing the Pakistanis and Arabs to withdraw through Mazar-e-Sharif, Afghanistan.

Replying to above: Oh Judge, Do you know who General Dostum is? He's from the Northern Alliance forces an ally of Russia and after the Americans entered, he became an ally of the Americans and after a short period of time he became against the Americans and entered in battles against them and became wanted by the Americans, and he was the one we were fighting and this proves that he wasn't an ally of America, this means the one we were fighting was an enemy of ours and an enemy of America so why/how I'm imprisoned four years for that reason.

3. The detainee and the others got on a truck unarmed and went on their way to Heart, Afghanistan, being led by vehicles from General Dostum's forces.

Replying to above: Yes, to travel to my country and the proof is that the truck didn't have weapons in it and we didn't want to fight but Dustum tricked us and entered us in a big castle and fired bullets at us and killed more than 350 brothers while they were hand cuffed/ tied with robes and I was hit with a bullet while I was cuffed/tied up and after that the Americans came and took us to Kandahar and later to Cuba. And you have two movies about Al-Janki castle and Dustum's men firing at us and those two movies are here in Cuba and I have seen one of the movies myself. The movie is about two hours long. The bullet is in my stomach until now, I suffer severe pains until now, and I have

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been asking for clinic help for three years and I haven't had any answer back from them so what are the harms that I caused America to be imprisoned for four years.

4. The detainee arrived at a castle called Al-Janki, where they were searched and their valuables were taken by Dostum's forces. The detainee was taken to the basement of the castle where he spent the night. The following morning, the detainee was taken out into the yard when an explosion took place in the building. The guards at the castle started randomly shooting and many prisoners were killed. The detainee ran away from the building, but was eventually shot in the back.

Replying to above: I didn't say I ran/flee from the building and I didn't get shot in back while I was running/fleeing, this statement is not true, I was shot while I was handcuffed/tied up with ropes. What is the harm that I have caused America from my injury knowing that when I entered the castle there weren't any Americans there and I didn't fight Americans so why I'm imprisoned for four years and my freedom banned.

5. The detainee began providing was wounded during the uprisings at the detention facility at Mazar-e-Sharif, Afghanistan.

Replying to above: Yes, I was shot with a bullet, which is inside my stomach between my kidney and my liver, and I suffer from severe pains since that time. And I ask from the clinic every week to look into my issue/matter but there isn't any reply/answer from them. And I always tell them if you can't help me let me go to my country to get treated so I didn't find the treatment and I didn't find my freedom in this life.

4. The following primary factors favor release or transfer:
 - a. The detainee began providing guidance on Islam approximately five years prior to his capture and traveled to Pakistan to guide Pakistani Muslims on how to pray, to fast, and to pray at a cemetery.

Note:

I attended the first court session and I replied on the accusations like these and I was told that the result will appear in few months and the court result appeared after a complete year and I was told that I pose a threat on America. I don't know what threat I pose to America. And you now brought me accusations and I replied to all of them and all of them don't pose a threat and after a year you will tell me that you pose a threat on America so I don't know what is your understanding of a threat/ What do you mean by a threat/what is a threat to America so I don't get imprisoned 100 years for misunderstanding.

* My question to the Judge? If I was from a wealthy country with super power or a European country, would I have been released?

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