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Summarized Detainee Statement

In the name of Allah, the most compassionate, the most merciful, I swear by almighty God that my testimony before this tribunal shall be the truth.

The detainee was sworn and testified as follows:

If the Tribunal would allow me, I would like to say something before I answer all those questions on the paper. The first time I left the house and joined the Taliban, I was just a soldier with them, a small person in their organization who was working with them. I did not have a problem with anyone before and I wasn't going to fight with anyone. There was a time when the Taliban were ruling the country. So if I were still at home I would still be under their administration of the country. I would go and join them, and work for them to make money for my family. That's what I did, I went and joined them and worked as a small soldier for them. Some of the things on the paper that my Personal Representative read to me couldn't be an accurate statement in what my job role was when I was working at the Governor's house. It says, "I was more than a commander. I was a big leader in the Taliban." If I'm wrong there was a Governor, a ruler of the country I worked for, and if that was wrong for doing that, then yes I did that, but I had no choice because the whole country were ruled by the Taliban. There were no other options or choices that I could do, but I was free. I would go anywhere. It wasn't as if I was bound to their training or anything. It was just that I was working with them to make money for my family. Before all the fights in Afghanistan when the Russian people were there fighting each other, I never acquired a weapon before in any of those fights. Now I can answer some of the questions. I could explain most of the questions and that could be included in my statement.

Answers in response to questions by the Personal Representative:

I wasn't a member of the Taliban. I work with them. I was a soldier with them, if that counts me as being a member of the Taliban then yes, but I am not a Taliban. Basically like where they came from, going to Madesta, or like going to school. I wasn't that kind of Taliban, but I work with them and if that makes me a Taliban then you can decide. I didn't have a personal AK-47 or a Kalashnikov. Where I worked, they would usually give it to you when I was a guard being the guard for someone, yes they would provide me that, but as far as a personal one that I would carry all the time. When I was in Kabul I was working with the Taliban, the Security Chief actually give me a weapon to do the guard for them. I was not the active governor for Masar-E-Sharif. I was a bodyguard for the Governor of Masar-E-Sharif. If he was to go anywhere I was going with him. If he entered the room I would open the door for him, but I had no relations to him. I worked for the governor. I didn't serve as the acting governor. When the governor left town to go visit his family in his village, nobody was in the governor's mansion, only his bodyguards. So he would tell us that if anyone comes in if you guys could solve the problem that's fine, if not, tell them to come back on this date and I'll be here. So I was the in-door guard who was present while the governor was absent. So if they got the impression that I was the acting governor, it wasn't that I was the acting governor, I was just a guard in the governor's palace. In the question it says that I was the acting governor, I was not. I was just a bodyguard. I might have helped some people while the governor wasn't there, and I might have solved some

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problems, like I told my Personal Representative. I could say it again, would you like to hear it again. When the governor was away some people would come. We couldn't just close the doors. If two people were fighting they would come to the governor and if the governor wasn't there, we would tell them to go to this person, the commander or to the police. If someone needed financial help they could go somewhere else or come back another time and meet the governor. The question that says that I was there for 8 or 9 months as acting governor, it wasn't 8 or 9 months continuously that I worked there. In those 8 or 9 months the governor was there, but he would go home for like 10 days or a week, then yes we were staying in the governor house. Then he would come back and he was the governor, and then after about a month he would go back to his family. So we were there for those 8, 9 months, and he was actually in position or in charge at the whole time. He was actually coming time after time. So in those 8, 9 months he visited his family numerous of times and when he leaves he would tell us, okay you guys stay and keep the door open and help people. If you can't help them, tell them that I'll be back. So we were there for the whole time working in the governor's house, and he was still the governor and he was coming time and time after. I did not participate in any military operations. In the Government's evidence of question number 1, it says I was fighting on the front lines of Marsha Ree as a Taliban fighter. It never happened like that. I mentioned and I said before in the Russian times I never fought. I never entered any fight. Even though the American government and the other Allies came to the country and they would fight against anyone of them. The fight was far from the city and I was living in Masar-E-Sarif, the governor's house. I was going to Kunduz to see my family, but when I was going the road was blocked. I was leaving Kabul providence in Afghanistan and there were two roads there, one going to Kunduz and the other to Sabangan. The Sabangan road, which was going to my house, was closed so I took the other road to go around it, and that's why I went towards the direction of Kunduz. In the question it says that I worked with other Taliban soldiers to go to Kunduz and reunite them. Nothing happened like that. I didn't travel with any soldiers, and I did not go to liberate any soldiers. I went to visit my family. I took the road to Kunduz because I wanted to visit my family. There was nothing I could, it was getting dark so I thought I could stay there for the night and in the morning I would continue my trail to the house. I didn't know the Kunduz area and I didn't know anyone there so. I was looking for someone who could guide me as to how to get to my village from Kunduz. Which road should I take? How could I get there? There were no cars or any transportation. So that's why I stayed there the night and in the morning I could get someone to help me. I went to see this person, he wasn't a Taliban commander, he was just an elder of the village, and that's why I went to him because usually you could go to the elder. I went to ask him why the road was closed, and to tell him that's why I came this way, and now I don't know which way to go and if he could tell me which is the quickest way to go to get to the village where my family is, and if he could tell me where I can get transportation. He told me that I couldn't make it by myself because people are fighting and it will be hard to go through them by myself. He told me that there are other people staying over there who are Taliban and they are going to surrender to the Northern Alliance, so you can go with them tomorrow. They are going to surrender and it's close to your village. Then once they surrender then they won't do anything and you could just tell them okay, and they would let them go to their house. So you can go with them and when you get there you can either go to your house or you can go and tell the Northern Alliance that you are working with them or you are with them and they will let you

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go home. Since that group was taking the same road that I was supposed to take to get to my house, I didn't know any of them. They were coming from Kandahar and going to the Northern Alliance. So I thought since they were going in the same direction I could join them and make the way safely to my house. I was only thinking about getting to my house. I didn't think about surrendering because I wasn't fighting with anyone. I wasn't thinking that I would be captured. Once we left Kunduz, after the city was a big dessert and a lot of people were going in the same direction. Some were walking; some were going in a car. Our group was going in the same direction by foot. Once we crossed the dessert to a place called Eargarnert, once we got there we got surrendered to the Northern Alliance. When I left Kunduz, we were walking and we walked a lot and I was tired and I was fasting at the time and it was hard for me. A lot of people were walking and we were walking and I was actually asking for a lift from a lot of cars, and finally one car stopped. I didn't know how many people were in there, I didn't know who was in there, and I never seen them before. When I got to the car there were 3 or 4 other guys in there and the Taliban leader and the elder was in the car also. It's not like I know them. It's not like I know the car because I never saw it before. I was stopping a lot of other vehicles and this was the only one that stopped for me, and I was tired of walking and that's why I got in. Since I was fasting I was trying to I was trying to get into any vehicle because I couldn't walk anymore, this car stopped for me and I got in and soon after they got captured and they said that I was a part of their group. I was questioned. They asked me if I was a bodyguard in Jalalabad, and I did work with them as a small soldier and it was the Taliban government. They did ask me questions and when I answered them they took different points and put it together, but it didn't actually happen this way the way they showed it in the paper. I assured under the oath that against the United States or its Allies, I never thought about fighting against them and I'm not thinking in the future to ever fight against them. The only thing I did was that I served in the Taliban government, which I was living at the time in their country so I served as a soldier and that is the only mistake I made. Other than that I didn't do anything illegal or was I part of the Taliban. That's all and if anyone would like to ask me questions they can go ahead.

Answers in response to questions by the Recorder:

In Taliban time in their government, anyone working for them or a part of their government, as I was a small soldier for them, that's how I got the name Mullah. I can read and write because I went to school in my village for a year or two, but I didn't get the title because of my education. In our country, they call a Talib who go to the religious school and read only the religious study get religious education by reading the Koran and research the Koran that's how they become a Talib. In my school they teach you how to read and write. I don't know about the whole country, but where I am from, not a lot, but some of the people could read and write. They weren't recruiting people because they could read or write.

Answers in response to questions by the Tribunal Members:

He told us any concerns to the government we couldn't touch or do anything with it or help anyone. He told us we were only staying in the Governor's mansion and if anyone comes just direct them to get help, and if they need to get financial help or they need to go somewhere direct them where they need to go. Whether it's to the police or they should go to the other security

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forces. Yes, we did that, but we cannot touch any government matters when we were there. No we didn't solve any disputes between people. Yes, there were people coming to the governor house, but we were directing them to go to where they should go, like to the elders or whether they should go to the police. The highest-ranking Taliban people I knew were the Governors of Jalalabad because I worked with them. I heard other names, but I don't know if they were higher-ranking people. I was a bodyguard for both the governors, but the only difference was I was in his house most of the time because he visited his family a lot. When I was captured I did not have a weapon on me. I only had my clothes on. In addition, I would like to say one more thing. Like I told my Personal Representative, I am really a poor person to my family and I didn't have a lot of resources, so I did it to survive and I had to work somewhere, and that's why I worked for the government and to help my family. If you ask anyone in my village and they can tell you that I was never a part of any organization. I never worked with them. I only worked for my family. I needed to survive, so I did work with the government, which was at the time the Taliban government and I work with them and that's the only mistake I made if you want to call it that, or that's the only thing I did. That's probably why I'm here because that's the only mistake I made, but I didn't have a choice because I had to provide for my family. The Taliban was there in the country. It's not like I could go somewhere else because they were all over the country so I worked there with them. I had to do something to provide for my family. So that's the only mistake I made and in the future I'm not thinking about working with them again or an organization. I am a good man. I just want to go and raise my family and provide for them. That's all I can say. Other than that, I don't have anything else. This concludes my statement. Before I worked for the Taliban, I was a tailor and I did farming. That's how I supported my family.

AUTHENTICATION

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


COLONEL, USMCR
Tribunal President

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