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Summarized Detainee Statement

Tribunal President: Fahed Abdullah Ahmad Ghazi, you may now present any evidence you have to the Tribunal. You have the assistance of your personal representative in doing so. Do you want to present any information to this Tribunal?

Detainee: In response to the evidence, I do not belong to the Al Qaida or any other organization. I would like my Personal Representative to provide you with the exhibit showing the results of my polygraph. I also want to speak in my own behalf about this case.

Tribunal President: Okay. Would you like to make a sworn statement under oath?

Detainee: I have no problem and I would like that.

Tribunal President: Recorder, please administer the oath to the detainee.

The Recorder swore in the detainee.

Tribunal President: Fahed Ghazi, you may begin your statement.

The detainee was handed a translated copy of the Unclassified Summary of Evidence to use during the presentation of his statement. He then addressed each point on the Unclassified Summary of Evidence in order. To put his comments into context, the points from the Unclassified Summary of Evidence are provided below in italics. The detainee's comments follow each point (summarized).

a. The detainee is an Al Qaida fighter.

In my defense, I never had any contacts or assignments with Al Qaida. To my knowledge, I have never had any contact with any Al Qaida members. I do not belong to Al Qaida. I took a polygraph and was asked more than 15 times about my participation with Al Qaida. I passed all of the tests and they showed I have no knowledge of Al Qaida and I am not a member of Al Qaida. When I left Yemen to go to Afghanistan, it was not to join Al Qaida or to become an Al Qaida member.

1. The detainee voluntarily traveled from Yemen to Afghanistan in 2001.

I left Yemen for training purposes only. I was under the assumption from one of the scholars about being able to learn how to fight and defend myself and my honor. Since there were a lot of problems in Yemen and a chance I could be killed at anytime, I wanted to be trained on the weapons so I could defend myself. That was my purpose in leaving Yemen. I wanted to train in Yemen or join the Army or any other forces that could have trained me. But after I graduated from high school, I had no chance. The

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Yemeni Government dismantled the Army, and got rid of the law requiring high school graduates to serve. If I officially joined the Yemeni Army, it would be a lifetime commitment. I had other plans to pursue higher education – I didn't want a lifetime commitment. The only reason I wanted to train was to learn how to handle a weapon and how to defend myself. Since there was no draft for a short period of time, I could not join.

2. The detainee attended training at the Al Farouq training camp.

When I arrived in Afghanistan, I had no knowledge of where to go or to what place to go to train. I was directed to the Al Farouq camp. I had no idea what Al Farouq was or who it belonged to. It was the only place I could find available and it was where the people told me to go to receive training. I did not know of any association between Al Farouq or any other organization.

3. At the Al Farouq training camp, the detainee received training on the AK-47, explosives, the PK machine gun, and RPG's.

I only spent 9 days in the Al Farouq training camp. It was impossible for me to train in 9 days on how to use the Kalashnikov, bombs, grenades, RPGs and any other sort of equipment. The only thing I touched or used during my 9 days was the Kalashnikov. That's it. After my 9 days in Al Farouq camp, and after the knowledge of the bombings started, I had no chance afterward to train. I was moving from one area to another.

4. After attending training at the Al Farouq training camp, the detainee was chosen to go to Tora Bora and become one of Usama Bin Laden's bodyguards.

I was not in Tora Bora by choice. It was a recommendation from the people who knew the bombing was coming to my area. I kept moving from one area to another area until I ended up in Tora Bora. I was not chosen or picked to go there. I had no knowledge of how to get out of Afghanistan. The only choice I had was to listen to the people who led me from one place to another. I thought Tora Bora would be a safe haven on the way out of Afghanistan.

It would not make any sense to believe that in 9 days, I would have achieved the knowledge or received sufficient training to join Usama Bin Laden or be his bodyguard. First, I did not have enough training. Second, I was only there for a few days, so there was not enough time to establish knowledge about me or trust. Third, I was only 17 years old. It would have been impossible for Usama Bin Laden to trust a 17-year-old with only 9 days of training to become a trusted bodyguard. This was one of the questions that was repeated on many occasions during my polygraph test. I answered this question truthfully beyond a doubt. This should prove I was not lying and I have no knowledge or association with Usama Bin Laden whatsoever.

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b. *The detainee participated in military operations against the coalition.*

1. *The detainee fought in the KTAL region of Afghanistan.*

This does not make any sense to me. I never was assigned any weapon. All during the time I was moving from one area to another, I never had a weapon in my hand - nothing. That by itself should prove the only thing I had in mind was to get out of Afghanistan. If I had any intention to fight I would have had a weapon with me in my hand and I would have fought. I never did any of this. All I was thinking about was I was being led to get out of Afghanistan. I never heard of the KTAL area. I never was in that area. The first and only time I heard about this area was about 2 days ago when I met with my Personal Representative.

2. *The detainee attempted to flee Afghanistan following the US air strikes. He crossed the border into Pakistan, and surrendered to authorities, who accused him of being a terrorist trying to escape from Afghanistan.*

This point is true. However, I was not running away. I was trying to make my way back home. The problem was I had many obstacles. My number one obstacle was I had no passport. My passport had been withheld. I had no money because my money was in the possession of other people. I had no way to speak the language. I needed a means to get to Pakistan. I tried my best by being patient in my attempts to leave and to get to Pakistan.

The accusation of my being a terrorist because I was trying to leave Afghanistan to get into Pakistan, this does not make any sense. My intention was to leave Afghanistan, to get into Pakistan so I could go back to Yemen. When I was in Pakistan, I turned myself in to the Pakistani Government officials. If I was a terrorist, why would I do that? I would have tried to stay as far away from them as I could. That is my statement.

The Tribunal President then asked the detainee if that concluded his statement. The detainee added the following point (summarized):

If you have any information that proves other than what I have told you, I would like to see it so I may defend myself. If there is any secure evidence or other authorized evidence, let me see it. If there is anything of that nature, I would like to see it so I can speak and talk about it, if you will allow it.

The Tribunal President explained that persons at a much higher level than anyone sitting in this room determined what evidence was classified. The President stated the detainee could not review the classified evidence, but that the Tribunal would review the classified evidence in its deliberations. The detainee indicated he understood. The Tribunal President then asked the detainee if he would answer any questions. The detainee responded that he would be happy to as long as he was

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capable. The Personal Representative and the Recorder had no questions for the detainee. The Tribunal then questioned the detainee as summarized, below.

Tribunal Member: When did you travel from Yemen to Afghanistan in 2001? What month?

Detainee: I left Yemen on the 19th of August 2001. I can accurately say it was the 19th of August.

Tribunal Member: Did the bombing start while you were attending training in Al Farouq?

Detainee: No.

Tribunal Member: So you had already completed the training before the bombing started?

Detainee: After the September 11th incident took place, they disassembled the camp. They told everyone to leave the camp. So before I finished my training, we were ordered to leave the camp. They expected the bombing to start.

Tribunal Member: Where did you go?

Detainee: I left for Kabul.

Tribunal Member: Who did you go with?

Detainee: The trainer and some of they guys that were training with me. Is this going to be another interrogation? Is this part of the proceeding?

Tribunal Member: I am not interested in individual names. This is not an interrogation. You are free to answer or not answer any questions.

Detainee: That's fine.

Tribunal Member: I am just trying to understand all the facts.

Detainee: That's good.

Tribunal Member: When you went to Kabul, were you armed or unarmed?

Detainee: I had no weapon.

Tribunal Member: Was the group you were traveling with just individuals, or was it Taliban soldiers?

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Detainee: The five people who were with me were training; they were the same as I. They came from overseas to train. They did not belong to the Taliban.

Tribunal Member: In the time from Kabul until you turned yourself in, in Pakistan, did you ever participate in any fighting?

Detainee: No.

Tribunal Member: Did any of the people you were traveling with participate in any fighting?

Detainee: The only person who had a weapon on him was the trainer. He did not fight. He was just carrying a weapon.

Tribunal Member: How did you turn yourself in to the Pakistanis?

Detainee: When the bombing started in Tora Bora, it was extensive bombing overnight, a lot of people died. I did not know what to do. The best thing I could think of at the time was to run for my life. After I started walking, headed towards the snow mountains, I met some people who were also running away. I asked them where they were going. They said they were going to Pakistan. I asked them can they guide me or help me to get to Pakistan. When I reached the border of Pakistan, I turned myself in.

Tribunal Member: Did you ever associate or travel with any Taliban soldiers?

Detainee: There were no Taliban soldiers. They were just regular people.

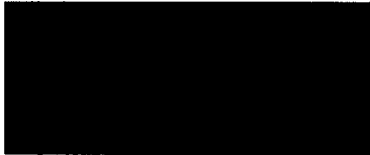
The Tribunal had no further questions for the detainee, and the Tribunal President asked the detainee if he had any further evidence to present. The detainee had no further evidence. A brief discussion followed with the detainee regarding how the classified session would be conducted and the Administrative Review Board process. That concluded the statement of the detainee.

The Personal Representative then offered into evidence Exhibit D-b, which the detainee had earlier asked his Personal Representative to introduce. Because the detainee did not know what the exhibit was, he asked the Tribunal President whether the evidence offered by the Personal Representative was against him or on his behalf. The Tribunal President responded that the exhibit was a summary of his polygraph examination, and the detainee indicated, "Okay. That concluded the detainee's presentation of evidence.

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AUTHENTICATION

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



COL, USA

Tribunal President

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