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Summarized Unsworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

When asked by the Tribunal President if the detainee had any questions concerning the Tribunal process, the Detainee answered, "No."

[After the Tribunal President stated; "your Personal Representative may assist you if you wish."]

Detainee: I don't want to speak my Personal Representative will speak for me.

Tribunal President: I understand you will have your Personal Representative present to us what you covered previously, is that correct?

Detainee: Yes, but before I add things he will read the accusations and then I will respond.

Tribunal President: Before we get to that, would you like to give us your statement under oath?

Detainee: No.

Tribunal President: You may proceed.

Detainee: I have been here three years now. Up until four days ago I had never heard of these accusations. I have been in prison in Pakistan, Kandahar, and Cuba. About thirty interrogators have investigated me during these three years. They have been very intense investigations. I have never heard of any of these accusations except when I met my Personal Representative four days ago. I believe the interrogators were desperate because they couldn't prove anything against me, so they made up these accusations. If these accusations were correct you would have questioned me on them before. These accusations make you laugh. These accusations are like a movie. Me, a body guard for Bin Laden, then do operations against Americans and Afghans and make trips in Afghanistan? I don't believe any human could do all these things. This person would tell Bin Laden to hold on, I have to stop being your bodyguard to do these other things. How can a person who is just a simple guard be doing all these things? This is me? I have watched a lot of American movies like Rambo and Superman, but I believe that I am better than them. I went to Pakistan and Afghanistan a month before the Americans got there. The Americans only came to Afghanistan for a short period. The war was very short when I was there. I was detained in Pakistan during Ramadan. I was there only a month. How can a person do all these operations in only a month? I can say that these accusations are lies.

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Personal Representative: 3.a. (The detainee was an associate of the Taliban and/or Al-Qaida.) I don't have any association with Al-Qaida or Taliban. I went to Afghanistan because of a man named Mawan Jaawan told me there would be a job there for me.

Detainee: He told me I would like it in Afghanistan and I could live a better life then in Yemen.

Personal Representative: Mawan Jaawan was a Yemeni from the same neighborhood that I am from. I thought Afghanistan was a rich country but when I got there I found out different. Instead of being a rich country it was all destroyed with poverty and destruction. I found there were no basis for getting a job there. I was lied to but couldn't return to my country because I had no money or passport.

Detainee: I had a passport but it was with Mawan. In the same house I was staying in.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.a.1. (The detainee is a Yemen citizen who traveled to Afghanistan via Karachi, Pakistan; Kandahar, Afghanistan and finally to Kabul, Afghanistan.) Yes.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.a.2. (The detainee decided to travel to Afghanistan to fight the Jihad.) I went there to work not to fight the Jihad.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.a.3 (The detainee arrived in Kabul, Afghanistan and stayed in a house owned by the Taliban.) I stayed in a house owned by Mawan Jaawan. It wasn't a Taliban house it was just a house.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.a.4. (The detainee became a bodyguard for Usama Bin Laden in August 2001.) Not true.

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Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.b. (The detainee participated in military operations against the United States and its coalition partners.) When I went to Afghanistan I spent all my time in Kabul. I didn't participate in the fighting. I stayed in Kabul because I didn't have any money to return to my country and my passport was with Mawan Jaawan.

Personal Representative: Would you like to add anything to that point?

Detainee: This is good just continue.

Personal Representative: 3.b.1. (The detainee traveled north of Kabul, Afghanistan to a military camp approximately two miles from the front line fighting with the Northern Alliance.) Not true. Mawan Jaawan took me in a vehicle and drove me to the front line without my knowledge. I didn't know where we were going. When I found out that we were at the front lines I told him I wanted to go back. I had no choice but to stay there. I stayed there for three days on the front line. I had no money or transportation back.

Personal Representative: Would you like to add anything to that point?

Detainee: This is true I stayed three days. There was no transportation the only vehicles in this area belonged to the Taliban.

Personal Representative: 3.b.2. (The detainee was issued a Kalashnikov rifle with ammunition.) Yes, while I was there for the three days I was issued a Kalashnikov rifle. This was before America entered Afghanistan.

Detainee: It was a year and four months before the United States came.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.b.3. (The detainee was assigned a post, performed guard duty on the front line, and could hear gunshots and fighting in the distance.) I didn't participate; I just stayed there three days. I didn't do anything.

Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.b.4. (The detainee made several trips from the front line to the guesthouse in Kabul, Afghanistan.) Not true.

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Personal Representative: Would you like to add anything to that point?

Detainee: No.

Personal Representative: 3.b.5. (The detainee learned about the 11 September 2001 attack on America during his last two months in Afghanistan.) Yes I heard about it like everybody else.

Detainee: Of course I did. It was the news on every TV station, radio station and newspaper. I don't think this is an accusation just hearing the news.

Personal Representative: 3.b.6. (The detainee surrendered to a Pakistani security force at the border.) I didn't surrender because I wasn't fighting. When I went to Pakistan I went to the nearest police station so I could go back to Yemen. I didn't have any money and I wanted to meet with the Yemeni embassy. I didn't have a weapon so it is amusing to say that they arrested me.

Detainee: When they say I surrendered to Pakistani authorities, to start with I didn't have any weapons. You cannot say that I surrendered to them. I took a taxi and it took a couple of days. They captured me. I wanted to meet anybody from the Yemeni embassy. I didn't have any money and that is a good opportunity for the Pakistani police to capture me. I didn't have any money and at the same time you are saying that I was a bodyguard Bin Laden. How could Bin Laden's bodyguard have no money? I didn't have any weapon so how can the interrogators say I surrendered?

I would like to say one more thing. I talked about not coming to this Tribunal. But I told myself to just try. Because when I read the accusations I felt injustice was going to be applied here. I might refute the accusations. That is what I will see here in the future when I leave here.

Tribunal President: Does this conclude your statement?

Detainee: No. No we're not through with these accusations. The first time I talked to you I had no hope. Then I said there might be hope so I came. I hope I will find people that will listen and understand the truth.

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

Personal Representative: No sir

Tribunal President: Recorder do you have any questions for the detainee?

Recorder: No sir.

Tribunal President: Does the board have any questions for the detainee?

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Summarized Answers in Response to Questions by the Tribunal Members

- Q. When did you move from Yemen to Kabul?
- A. Three years in Cuba and one and a half years in Afghanistan. That is four and a half years ago that I moved there.
- Q. So you lived in Afghanistan for about one and a half years?
- A. Yes, exactly.
- Q. What were you doing during that time period?
- A. I went to Kabul and met Mawan who was from the same neighborhood as me. Before I traveled to Afghanistan with him he came back to Yemen. He told me it was easy to have a life and live there. I used to work in a factory in Yemen and my salary was about \$50.00 a month. I couldn't live on \$50.00 in Yemen. Mawan was my friend since we were kids and he told me I could live in Afghanistan and have a good life. I couldn't do this in Yemen so I went with him to Afghanistan. When I got to Afghanistan the situation was opposite of what he told me. I didn't have money to go back. Mawan would only give us a very small amount of money for expenses. He wanted me to go to the front line then he would give us money to work with the Taliban. I told him I came to Afghanistan to live a normal life not to fight. He told me there was no money for me to go back. And that's why I stayed in Kabul. I would stay in a Mosque and read the Koran. My life in Kabul was to go to the Mosque, to the market, and to the house. I was always thinking about how to get back to Yemen. I couldn't save the amount of money to go back. On top of that my passport was with Mawan. He told me to wait and he would give me the money to go back. I was forced to stay there.
- Q. So basically you chose not to get a job at all rather than to work for a low pay?
- A. Yes as I said the salary was very low. But when I was at the Mosque I used to read the prayer for the Muslims, so they would give me money once in awhile. I was given very little money.
- Q. I think the way you said it, Mawan gave "us" a little bit of money everyday, who was us, were there other people staying at Mawan's house?
- A. He would give me. Me.
- Q. Why do you believe your friend from childhood lied to you about the conditions in Afghanistan?

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- A. I don't know his reasons for lying to me but I think he thought when I got there I would be forced to face the situation and change my mind.
- Q. What do you mean, change your mind and fight for the Taliban?
- A. Yes.
- Q. Were you at the front just the one time or was there other times?
- A. Just the once for the three days.
- Q. How did you get to Pakistan?
- A. I left Kabul and went to Khost in a car. Then from Khost I took another car to Pakistan.
- Q. Who was with you?
- A. In the first car from Kabul there was a lot of Afghanis.
- Q. And after that?
- A. After that I went to Khost.
- Q. When you crossed into Pakistan were you by yourself?
- A. I hired a taxi.
- Q. When you went into the police station were you by yourself?
- A. The car I was in was like a taxi, there was a lot of passengers. When the car got to the border I went to the police station.
- Q. And were you by yourself?
- A. Yes, when I left I was by myself.
- Q. Why did you decide to leave Afghanistan at that time?
- A. Because it was a really hard life. There was no need for me to be there. I thought if I got to the Yemeni embassy they could solve my problems somehow.
- Q. Did you try and get your passport back from Mawan before you left?
- A. No, he wasn't there at the time.

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- Q. Was Mawan fighting on the front?
- A. Mawan works for the Taliban and he has a car.
- Q. I understand you had a factory job in Yemen and you used all your savings to travel to Afghanistan. Do I understand that correctly? You had very little money when you got to Afghanistan.
- A. When I left Yemen I had no money. Mawan gave me money. He paid for my airline ticket also.
- Q. When you were leaving Kabul, you said you paid for a taxi; I assume you had enough money for that.
- A. To take a taxi is not very expensive. It is cheap.
- Q. Why did you wait a year and five months to decide to leave when there was no work?
- A. I didn't realize it until six months had passed. And when Mawan proposed this idea to me. That is why the following year I tried to save money but it was hard.

Tribunal President: Do you have any other evidence to present to this Tribunal?

Detainee: No.

Tribunal President: Personal Representative do you have any other evidence to present to this Tribunal?

Personal Representative: No sir

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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