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Summarized Sworn Detainee Statement

[When the Tribunal President explained to the Detainee that the following applied during the hearing, the Detainee asked for an explanation on the statement. The Tribunal President responded by explaining to the Detainee how the process was going to proceed.]

[The Detainee nodded his head that he understood. The Tribunal President requested the Detainee respond verbally, since the Tribunal was being recorded.]

When asked by the Tribunal President if he understood the CSRT Process, the Detainee answered, "this is the first time I have been to a Tribunal and I don't know."

Tribunal President: If you have any questions as we go through, please ask them and we will answer them.

Detainee: Fine.

Tribunal President: Do you have any questions now regarding what we just told you?

Detainee: No.

[Personal Representative presented D-A {Detainee Election Form} to the Tribunal President.]

[Recorder presented Unclassified Exhibits R-1 through R-4 to the Tribunal President.]

Detainee: I don't know what Exhibits R-1 through R-4 are.

Tribunal President: I will Describe what each piece of evidence is, as we get to them.

Detainee: Who are the three impartial people in the Tribunal?

[The Tribunal President explained to the Detainee that the three impartial people were the three Tribunal members.]

Detainee: Are you a judge?

Tribunal President: I am not a judge, but I am the Tribunal President.

Detainee: You are the people that are supposed to be impartial?

Tribunal President: Correct.

Detainee: Fine.

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[The Tribunal President explained each piece of unclassified evidence to the Detainee, which was already shown to him by his Personal Representative. The Detainee requested the Translator re-read the unclassified summary to him, which he did.]

[When the Tribunal President explained Exhibit R-2 {the FBI redaction letter}, the Detainee stated if they are classified, what if they are incorrect? The Detainee was concerned over his fate if the documents presented were not correct. He wanted to see the classified documents.]

Tribunal President: The classified information cannot be shown to you due to national security reasons. By you participating today, we want to hear your story as well. We haven't seen any information prior to this. We will take everything into consideration.

Detainee: All the statements are clear and I have clarified them each time I have met with other people.

[The Detainee made the statement to the Tribunal President that this was between you and God. The Tribunal President responded by answering yes.]

Tribunal President to Detainee: I see that you have two requests for witnesses. The first request was for a statement from the Minister of Interior from Saudi Arabia to prove you were a police officer. Specifically that you were working as a police officer in 1996, and you had also met with the Saudi Ambassador in Sudan.

Detainee: Yes.

Tribunal President: I denied that request because your employment prior to the events we are looking at isn't relevant to our case.

Detainee: You are the one that asked about that.

Tribunal President: I understand that. You may have been addressing the bullet on the Unclassified Summary that talks about 1996? I will tell you that even though the bullet is on that piece of paper, this Tribunal won't consider that when we determine whether you are an enemy combatant or not.

[The Detainee requested the Translator re-read paragraph 3.a.4, which he did.]

Detainee: When you researched that last point, did that prove I was telling the truth? Or is that just a waste of time?

Tribunal President: I denied researching it, because we won't consider it. It is not relevant to this hearing.

Detainee: The Personal Representative told me I was accused because of the first three bullets.

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Tribunal President: Correct. The fourth one will not be used against you, true or not.

Detainee: I didn't go to Bosnia. If you think I was arrested or captured, then why don't you provide evidence, such as pictures, to prove I was?

Tribunal President: Because it is not relevant to what we are doing.

Detainee: If it has no relevance, why is it among the evidence?

Tribunal President: I can't answer that question.

Detainee: If you can't answer that, then who can?

Tribunal President: The members that prepared this document. We receive it; we don't prepare it.

Detainee: As impartial members, I want to prove to you that if I am being accused of something regarding point three, if you are not going to take it into consideration, why is it on the Unclassified Summary?

Tribunal President: It is up to us what we consider and I can tell you we are not concerned with the time frame of 1996.

Detainee: Fine.

Tribunal President: As to the second request, you asked us to check with the Saudi police in Riyadh. It could prove you were on a humanitarian mission while on leave.

Detainee: Yes.

Tribunal President: I denied that request as well, because an employer has no knowledge of what their employees do when they are on leave.

Detainee: Even though the employer doesn't know what I was doing, I gave you my route and the date I went to Sudan. I met the Saudi Ambassador in Sudan. He knew I was there for charity work. My second request would prove when I made this trip to Sudan.

Tribunal President: The date we understood from your Personal Representative referencing the Sudan Ambassador was in 1996.

Detainee: I don't know the Gregorian calendar, I gave the Personal Representative approximate dates.

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Tribunal President: Again I think it centers around the 1996 time frame. We are concerned mostly about September 2001 and beyond.

Detainee: That is fine if that is your concern. You made accusations, and I wanted to respond to them.

Tribunal President: We appreciate your participation.

Detainee: Whether it is relevant or irrelevant, I responded to the question.

Tribunal President: Thank you.

When asked by the Tribunal President if he wanted to make a statement the detainee stated yes and provided his statement after electing to be sworn.

[The Personal Representative stated the Detainee and he had agreed he would read a statement and the Detainee would respond to it.]

Detainee: Yes. I want something positive for you to consider. I want to defend myself, if given the time.

Tribunal President: You have the time now.

Personal Representative: 3.a.1, [The Detainee was captured in Pakistan as he crossed the border shortly after Ramadan in December 2001.]

This is incorrect. I met a civilian in a village after crossing the Pakistani boarder in Selban. This civilian was supposed to take me to the Saudi Embassy. I stayed in the village in Pakistan for approximately one day before the Pakistan Army arrived. I turned myself in to them. I was then taken to Bash Auer. I was allowed to meet with one representative of the Saudi delegation. He took my history, but the Pakistanis would not release me.

Detainee: Can I expound on that?

Tribunal President: Please do.

Detainee: When I entered Pakistan, I met the Pakistani guide and the Pakistani Army who requested I accompany them. I told them I wanted to go to my Embassy. They said official arrangements had to be made. I asked why? They told me because I had entered the country illegally. I asked what was the proper way to enter the country? They told me because I had entered illegally, they had to follow some type of procedures to handle the situation. They said after they filled out the official forms, they would turn me back over to my country. They treated me normal. I didn't think they were going to do anything to me. I proved to them with my passport and tickets that I was there legally. We were getting along famously. They didn't put me in prison or place any restrictions

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on me. I was told they were making the necessary arrangements to return me to my country. Suddenly, I was turned over to the United States. I don't know why I was turned over to the U.S. There was nothing going on between the U.S. and me, and there were no problems between my country and the U.S. My only problem was with the Pakistani government. Why did they do that? Pakistan is the reason I am here. Pakistan was greedy and wanted money, so they sold me. This might have put the U.S. in a very precarious position.

Personal Representative: When we spoke, the Detainee added he went to Pakistan for a private trip.

Detainee: Yes.

Personal Representative: He went for charity purposes to build houses.

Detainee: I agree with what the Personal Representative has said. I didn't only go to build houses but anything that would help the poor and needy. I wanted to build a mosque, but I didn't finish it. I read Afghanistan was very poor and I wanted to do a lot of good work there. It would cost me two to three hundred thousand dollars to build a mosque in Saudi Arabia, however, in Afghanistan it would only cost about two thousand dollars. Saudi Arabia had several charities and they didn't need my help.

Personal Representative: The Detainee went to Afghanistan alone. He remembered going to Afghanistan about twelve to thirteen days before 11 September.

Detainee: I agree with what the Personal Representative has said, but the dates are approximate. This is a big event that I won't forget, but I can't remember the dates. I entered Afghanistan in 1422.

Tribunal President: We have a calendar to translate the dates into our time frame.

Personal Representative: Paragraph 3.a.2, [the Detainee worked as a volunteer for al Haramain, an Islamic charity.]

Detainee: I didn't work for them. I donated my time to be charitable. I have no connection to al Haramain. I went there for twenty days, but I don't know anything about them. I was surprised when I was told they have an association with al Qaida. It was a known fact that al Haramain was a charitable organization. Everyone was aware of the charity work they were involved with. I donated my time, for twenty days, doing anything I could to help. If you want to know about my trip, I have no problem telling you about it.

Personal Representative: The Detainee and I discussed that the trip was for twenty days to Sudan during the time of the floods. He recalled that to be about six or seven years ago.

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Detainee: I don't recall the exact dates.

Personal Representative: Six or seven years would take us back to 1996 or 1997.

Detainee: When I asked you to get the paperwork from Sudan, it was to prove that point and the dates.

Personal Representative: The Detainee told me while he was in Sudan he met with the Saudi Ambassador. He remembered it was more than twice, possibly three or four times.

Detainee: Approximately.

Personal Representative to the Detainee: That is all that I have, do you have anything to add?

Detainee: That was everything I told you. Thank you very much for speaking. I told the interrogators before that I was the head of my family. I have a wife and kids. You can ask my country regarding my behavior. You can find out everything about me starting when I was young. I didn't have any problems with the courts because I didn't travel out of the country very often. I joined the Army when I was seventeen and I got married at eighteen. I have a wife, daughters, and a stable job. I had no problems whatsoever. Why am I here? I will try to prove anything you want.

Personal Representative: Paragraph 3.a.3, [al Haramain is a non-governmental organization with known ties to al Qaida and Usama Bin Laden.]

Detainee: I don't know anything about that whatsoever. I am surprised this is even being brought up. This is an unbelievable accusation. Even though it isn't a government organization, it is a semi-government organization. Americans and the American Embassy know about this organization. You can ask about that organization and the past years they have been in operation. Because of Usama Bin Laden, all Muslims are being attacked. Just because someone has become a Muslim, they are associated with al Qaida? This is a disaster.

Personal Representative: The Detainee and I also discussed at the time (approximately 1996, 1997 time frame) the charity group was recognized by the Saudi government and the Saudi Ambassador also knew about it.

Detainee: It was one of the largest organizations in Saudi Arabia, if not in the Muslim countries. What happened to this organization? This must have happened since I have been here.

Personal Representative: The Detainee said the trip was documented by video [Personal Representative stated this was in 1996 or 1997].

Detainee: I told the interrogator the trip was all on video.

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Personal Representative: The Detainee asked was the organization even on a list back then (1996, 1997) as a terrorist organization?

Detainee: If al Haramain is a terrorist organization, why is it my problem? Am I guilty because they are terrorists?

Personal Representative: The Detainee also mentioned, even though the Saudi Ambassador knew about it, he never said anything to me when he knew I was going to travel.

Detainee: It was just a regular visit. I was checking on them and telling them about their needs and how I could help them. Sudan televised the story and the Sudan government was fully aware of it. There are several villages in Sudan. I rebuilt houses that had been destroyed. A clinical van delivered blankets. Seed was provided for planting. Everything was done to help the poor and needy. You can check this out with the Saudi and Pakistani governments. If this is not the truth you can keep me here, but if it is, why am I here?

Personal Representative to Tribunal President: The Detainee and I did discuss 3.a.4, [Detainee is suspected of being a Bosnian Mujahadin fighter that was previously captured in 1996.] Do you want to hear the Detainee's comments, or is it not relevant?

Tribunal President: Go ahead and discuss it since the Detainee told you the information.

Personal Representative: Paragraph 3.a.4, [Detainee is suspected of being a Bosnian Mujahadin fighter that was previously captured in 1996.]

[Personal Representative explained to the Detainee that even though the Tribunal President has said paragraph 4 was not relevant, we are allowed to discuss what we talked about in order to be heard.]

Detainee: This point is very important to me because I was accused on the previous three statements. By proving they are incorrect, I have proved I am innocent. I am accused of being a member or associated with al Qaida based on the three or four points of the evidence. That is why the interrogators believed I was guilty and a member because of this evidence. When you realize what I have said is the truth and compare it with the incorrect evidence provided by the interrogators, this will help me.

Personal Representative: Regarding paragraph 4 of the Unclassified Summary, the Detainee said, never. He was a Saudi policeman at that time. He joined when he was seventeen years old. He has a wife and kids. He even received awards during the time he was (inaudible).

Detainee: I am a peaceful man. Even before Bosnia, there was the Gulf war. I was there and received an award for appreciation. I was not involved with Bosnia. I'm not

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supposed to say anything or defend myself. You indicated I was arrested. If I was arrested and there is proof, then there is no reason for you to ask me about it. It's better if you have to prove it.

Detainee: I praise God and his Prophet. I would like to remind everyone that God is watching us, and God doesn't like cruelty. God is between us. He will be the judge. Don't condemn him and condemn yourself. That is all I can do I am in prison. That is all I can say.

[When asked by the Tribunal President if Detainee had anything else to say.]

Detainee: I have nothing else to say. I am not associated with al Qaida. If the charity was an illegal terrorist organization, I knew nothing about it. I have nothing else to say, the rest is up to God. You have all the evidence that proves what I have just told you.

Detainee: Did you have any questions? You have to look at this from a humanitarian point of view. I have wasted three years in prison. I have nothing else to give. The Pakistani people were very greedy. Once I am finished here, I will have a case against Pakistan.

Summarized Answers in Response to Questions by the Tribunal Members

Q. You mentioned you were in the military. Would you please tell me something about your time in the Saudi military.

A. I was with the police. I'm not going to tell you that because this is my country and I don't want to reveal anything. Even though I spoke to the interrogator about it, it's not my right to talk about it. There isn't anything secret, I just don't want to talk about it. I ask your forgiveness.

Tribunal member. Of course.

Q. How old are you?

A. Do you want the truth?

Tribunal member: Yes. Please.

Detainee: Thirty-three or thirty-four.

Q. How did you travel to Afghanistan?

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A. It's all clear. I went from Riyadh to Qatar to Pakistan.

Q. How long were you in Afghanistan before you went to Pakistan?

A. I don't recall dates but I believe about two or three days before the fall of Kabul. I left Kabul to go a surrounding city. The time was six ten 1442.

Q. While you were in Afghanistan, did you carry a weapon or have any guns or ammunition?

A. Never.

Q. Did you bring your own money with you to Afghanistan, or did the charity provide for you?

A. It was my money. I had nothing to do with the organization.

Q. Did you have your passport with you when you came into Pakistan?

A. I had my passport and return plane ticket.

Q. Did you complete the mosque that you went to Afghanistan to build?

A. No. I put in the foundation, but didn't have a chance to finish because the attacks took place in Kabul. I left someone there and gave him money to finish it.

Q. Were you employed by the police force when you left for Afghanistan?

A. Yes and I'm still with them, unless they have let me go.

Q. Does the police force give you so many weeks of leave or can you just leave for anytime and come back?

A. I got two months of vacation time per year.

Q. What places or cities did you visit in Afghanistan?

A. Kandahar was the first place I visited. I stayed there for about eight or nine days. After that, I spent most of my time in a city near Kabul. I don't really know because I was staying in one place and another until I got to Pakistan. I can't even remember what places I visited in Pakistan. The name of the village in Pakistan is in the Pakistani report.

Q. Why did you cross from Afghanistan into Pakistan?

A. What type of question is this? I was escaping.

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Tribunal member: That's what I wanted to verify.

Detainee: I was trying to locate the closest city or place to run to.

Q. What mosque did you attend in Saudi Arabia?

A. Any place I could go and pray. When it is time to pray here, I will pray.

[Translator: For the record, the Detainee asked me if I was Muslim and I ignored him.]

Q. Did any Fatwa motivate you to go to Afghanistan?

A. No. I went because it was a poor Muslim country. I had read a lot about it in magazines and papers and decided to go there on my own to do charity work.

Tribunal President: Just a point of clarification. I hate to make you repeat yourself again.

Detainee: Anything you have, you can throw at me. I have a family that I have left behind and it is too bad that I am here.

Q. When you were in Afghanistan, it is my understanding you were not affiliated with al Haramain at that time?

A. No. I was not associated with them. The first and last time was when he went to Sudan. After that, there was no connection whatsoever not with al Haramain or any other organization. I just like to help the poor and needy. From this point on I will do charity work in my own country.

Q. Have you seen your passport since you have been here in such as an interrogation or anything?

A. They brought me pictures about a year ago.

[The Tribunal President asked the Detainee if he had any other evidence to present to the Tribunal.]

Detainee: You can ask my Personal Representative if he has anything else?

I have nothing to submit. They took my blood, hair, and (inaudible). They have taken my picture and have thoroughly examined me. You have all the evidence. What do you want my heart?

Q. Personal Representative do you have any other evidence to present to this Tribunal?

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Personal Representative: I have no witnesses, but I would like to provide the Tribunal with Exhibit D-B, which is a unclassified copy of an evidence property custody document that I have received from the evidence room. This document supports the Detainee's comments regarding his passport and airline ticket which were in his custody when he was captured. The passport shows the different places he went and where it was stamped and his airline ticket shows the dates he had to use it by.

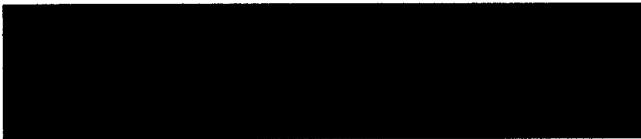
[During instructions to the Detainee regarding the Tribunal process, he prayed to God.]

[After the Tribunal was adjourned the Detainee asked how could he be classified as an enemy combatant?]

Tribunal President to Detainee: We have not made that determination yet.

AUTHENTICATION

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



Colonel, United States Army
Tribunal President