

**Summarized Sworn Detainee Statement**

*When the Tribunal President instructed the Recorder to administer the Muslim oath to the Detainee, the Detainee questioned the Recorder's ability to administer the oath. The Tribunal President advised the Detainee it was the Recorder's responsibility to administer the oath to all participants.*

*The Detainee was sworn.*

I would like to address each point.

- **3(a) The Detainee is a member of Al Qaida.**

I have been here for 2-3 years and they keep saying I am a member of Al Qaida. I have always denied this, whenever asked by interrogators.

- **3(a)(1) In about late 2000, the Detainee traveled from his native Saudi Arabia to Afghanistan via Pakistan.**

Nothing is wrong with this. How is it considered evidence if I traveled?

*Personal Representative: I explained it's not evidence, it's just setting the stage for the story.*

Even though the Personal Representative told me this, I told him that I would be addressing this point when I went to Tribunal. I want to discuss this situation and discuss this in front of you [Tribunal Members].

*Tribunal President: By identifying that you traveled to Afghanistan, it places you in that region during this time.*

Which law prevents me from going there [Afghanistan]?

*Tribunal President: There is no law; it [just] identifies the fact that you were in that region during that time frame.*

This should not be considered an accusation.

*Personal Representative: There is a difference between a statement and a charge. This is a statement, not a charge.*

Even though this is not evidence or an accusation, it points to it.

*Tribunal President: Our effort today is to hear evidence from the United States government and you that will help us determine whether or not you are an enemy combatant.*

I would like to address each point here.

*Tribunal President: We want you to do that because we know nothing about your case, except what has just been presented today, [in] the Unclassified Summary of Evidence. Some of this, like the first one, identifies that you did travel to Afghanistan, which places you in that area during this time frame.*

This point is true.

- **3(a)(2) The Detainee was motivated to travel to Afghanistan to become a martyr like his brother, who died in combat in Chechnya.**

This is true. Only one brother got killed.

- **3(a)(3) Upon arriving at a safe house in Kandahar, Afghanistan, the Detainee informed the safe-house facilitator that he wanted to go to the "front lines."**

Yes.

- **3(a)(4) The Detainee received two months of training at the Al Farouq training camp.**

Yes, that's true.

- **3(a)(5) While at Al Farouq, the Detainee received training on small arms including the Makarov, AK-47, Dragunov SVD, RPG-7, and RGD-5 hand grenades.**

I don't know anything about some of the machinery mentioned. Only the Makarov, AK-47, Dragunov, and the RPG-7. That's it.

- **3(a)(6) During his training at Al Farouq, the Detainee attended a speech given by Usama Bin Laden.**

That's true.

- **3(a)(7) While at the Al Farouq training camp, the Detainee observed that the number of recruits training at the camp grew substantially during the summer months of 2001.**

This is not completely true. I discussed that with the Personal Representative. I can explain. I was not at the Al Farouq camp when I noticed that, I was on the front lines. I heard from another soldier, while on the front lines, that there were more soldiers in the Al Farouq camp. That number increases normally in the summer time, rather than the winter.

- **3(b) The Detainee participated in military operations against the coalition.**

Yes.

- **3(b)(1) The Detainee admits that he served on the "front lines" where fighting occurred.**

Yes.

- **3(b)(2) The Detainee used the Makarov, Dragunov SVD and AK-47 weapons while serving on the front lines.**

Of all these, I only used the AK-47.

*Personal Representative: Was there anybody to fight on the front lines?*

None. We were in the bunkers and just shooting.

- **3(b)(3) The Detainee was captured by Pakistani police while traveling with a group of Arabs and Afghans, some of whom were security guards for Usama Bin Laden.**

This is not true. When I went to Pakistan, I only had two people with me. When I was turned over, they captured the Arab and Pakistani people. When they sent me to prison, I was taken along with the other group.

#### **Questions by Tribunal Members**

Q: Did you say it was true your brother died fighting in Chechnya?

A: Yes.

Q: First, we express our condolences to you on his death.

A: Thank you.

Q: Did he [brother] die while you were still in Saudi Arabia?

A: Yes.

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Q: How long after that time did you decide to go to Afghanistan?

A: Two to three months.

Q: Were there people in Saudi Arabia that helped you get to Afghanistan?

A: Yes.

Q: They told you how to get there? They paid for your trip? What did they do for you?

A: Do you want me to start from the beginning?

Q: Yes, please.

A: If I'm taking too much of your time, let me know.

Q: We'll let you know.

A: When my brother died, I was traumatized because he was so dear to me. I wanted to go over there [Chechnya] so I can die and meet up with him. A friend of my brother's came to the wake to offer condolences and that's when he talked to me. He was 18 years old and said Chechnya was very hard and I wouldn't last one day there. He said if I went to Afghanistan, it would be a lot easier than Chechnya.

The Muslim scientists, or clergymen, were telling me to fight in Afghanistan. They convinced me to fight there and told me how to get there, so I went.

Q: Did you know what Al Qaida was before you left Saudi Arabia?

A: I knew nothing of Al Qaida until I got to the front lines of Afghanistan.

Q: Who first explained Usama Bin Laden to you and who he was?

A: I heard about Usama Bin Laden in Saudi Arabia. I had a short-wave radio and I heard about Usama Bin Laden through the radio, newspapers and the media.

Q: In fact, during the time before you went to Afghanistan, he [Usama Bin Laden] was spoken well of in Saudi Arabia, as he is a native Saudi. Isn't that true?

A: I don't know Usama Bin Laden's reputation, if somebody spoke of him well. I didn't hear of him to be an Islamic Clergyman, an Islamic teacher, a Sheik or a Mullah.

- Q: When you were in Afghanistan, did anyone approach you about taking an "Oath of Loyalty" to Usama Bin Laden?
- A: No. Before I went to Afghanistan, my brother's friend gave me some instructions to follow once I got to Afghanistan. I was warned about how the societies or organizations are working in Afghanistan. I was watching out and staying away from the organizations my brother's friend told me about. No one told me to take an oath to be loyal to Usama Bin Laden.
- Q: What are some of the organizations you were supposed to stay away from?
- A: Takfir (phonetic)(Note: The practice of *takfir* in Islam was the declaration that a Muslim (whether a convert or a born Muslim) had ceased being a Muslim and had departed into unbelief (had become a *ka:fir*) by virtue of some belief that he or she held or by virtue of corrupt behavior (*fisq*)).
- Q: Why were you supposed to stay away from it?
- A: The scientists, or the Mullah, said they are the people who do not believe in God.
- Q: When they encouraged you to go to Afghanistan, who did they say you would be fighting?
- A: The Northern Alliance.
- Q: Who did you believe the Northern Alliance was made up of?
- A: The Northern Alliance was nothing more than a group of people that got together and I was supposed to fight them.
- The people were Massoud, Fahim, Rabbani...those are the people that formed the Northern Alliance.
- Q: Did you realize they were also Muslims?
- A: The Saudi Arabian clerics told me that even though they were Muslims, I was supposed to fight them. The Northern Alliance and the other organization I mentioned, they were attacking the Muslims. I followed the Saudi Arabia clergymen's advice to fight the Muslims of the Northern Alliance.
- Q: What responsibilities did you have after you left the training camp and went to the front line?
- A: I went over there just to fight and I didn't really fight because I was in the bunker.

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- Q: Was that because your commanders told you to go to the bunker?
- A: Because I was too young. When I went out there to fight, there were some younger people out there fighting, so they said "you're as young as the other ones, so why don't you go out there and fight?"
- Q: So there were times you had to fight the Northern Alliance soldiers?
- A: There was no combat or anything like that. It was simply firing in the air. I didn't fight.
- Q: But your leaders wanted you to fire your weapons at the direction of the enemy, right?
- A: Yes, if there was fighting. Even if he didn't tell me to fight and there was fighting in front of me, I'd have to defend myself.
- Q: Were there times when the Northern Alliance attacked you, then you and your comrades fought back?
- A: No.
- Q: Did you ever see any Northern Alliance soldiers shooting at your position?
- A: Yes, I did.
- Q: Did you fight alongside other Arabs, Taliban soldiers, or both?
- A: I was on the front lines for a period of 8 months. The first 3 months, I was at the end of the line. They were Arab, Afghani and Pakistani. All this was in Kabul. When the Arabs went to the north, I went to the front line with the "Army of Mohammed." They are Pakistani.
- Q: Tell us what happened when you retreated from the front lines.
- A: I was at the front line for a period of 5 months. There was no fighting until the September 11<sup>th</sup> attacks, then the Northern Alliance began firing the heavy artillery.
- We couldn't face that attack from the Northern Alliance, so the Taliban told us to retreat. Since we were followers there, we had to go back. This is how we were treated.
- Q: So, during that time, you gradually made your way toward Pakistan?

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- A: Yes. Initially I went to Kandahar, then to Khost. I stayed in Khost for 2 weeks and then went back with two people from Pakistan. They were guides and they told me how to get back to Pakistan.
- Q: When you were at the Pakistani border trying to get in, how many people were with you?
- A: Two.
- Q: Did they let you, or did they stop you right on the spot?
- A: At the last stop, there was a flag. They took me to the flag and told me as soon as I went down the hill, it would be Pakistan. As soon as I went down the hill, as suggested, I told them I wanted to go back to Saudi Arabia. An Ambassador or representative from the Embassy came to see me.
- Q: Tell us about the meeting between you and the Saudi representative.
- A: As soon as I got captured I told him I was Saudi Arabian and I needed to go back to Saudi Arabia. The representative requested they turn me over to Saudi Arabia.
- I was put in jail for 3-4 days. I requested a representative from the Saudi Arabia embassy. The representative, whose name was Khalid, came and spoke with a bunch of people from Saudi Arabia. He asked me if I was from Saudi Arabia, I told him yes and I showed him my ID.
- I told him about myself and showed him my ID. I am from a very well known family. The representative knows them. He started asking me personal questions. He asked me if I knew of any Saudi Arabian people that were captured or driven out of the city.
- He put me at ease. He explained it would take some time to get the paperwork so they could take me back to Saudi Arabia. A few days later, however, I was turned over to the American camp.
- Q: So, there was only one meeting with Khalid? He didn't come back in time?
- A: One time, and he never came back.
- Q: Then you went to Kandahar and then came here?
- A: I was at the American camp in Kandahar and then I was brought here.
- Q: How long have you been here?

A: About 2 years and 8 or 9 months.

Q: Do you consider the United States an enemy?

A: I don't consider the United States as an enemy. The only enemy I have is if somebody attacks me, tries to kill me, things like that. They would be my enemy.

Q: Now that you understand what Al Qaida is and who Usama Bin Laden is, what are your views on them?

A: I think they fight for no reason except their personal gain.

**Questions by the Tribunal President**

Q: Thank you for your testimony today. Do you have any other information, or is there anything else you would like to tell this Tribunal today?

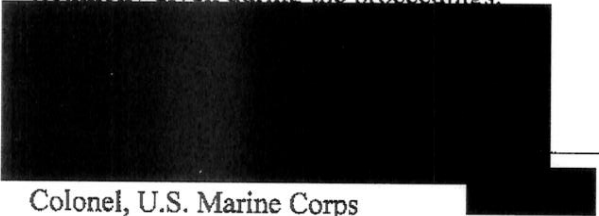
A: Anyone who travels to Afghanistan is not going over there to be an enemy of the United States. When I went to Afghanistan, I did not go because I wanted to go fight. The clergymen suggested I go there.

When I went to the Al Farouq training camp, I didn't know it was a camp for training, or that the people in the camp were Al Qaida. It was a training camp for anybody to train at.

The reason I went to the Al Farouq training camp because it was the only camp you could get training from. I'm sure that you know this.

**AUTHENTICATION**

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

  
Colonel, U.S. Marine Corps  
Tribunal President