

**Summarized Unsworn Detainee Statement**

***The Tribunal President read the Hearing Instructions to the Detainee. The Detainee confirmed that he understood the process and had no questions.***

***The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal and gave a brief description of its contents. A closed session was requested at a later time to present the classified evidence to the Tribunal.***

***The Detainee opted to take the Islamic oath before making his statement to the Tribunal.***

In regard to the Taliban, I didn't go to Afghanistan to be part of the Taliban. I went there for my brother. I have an older brother who was already there in Afghanistan. My intention was to go and stay with him for four months and come back. I used to love him a lot. That is true; I heard one of the Sheiks, one of the Imams, talking about the fatwa. This that you mentioned, that is true I heard it. I didn't go there because of this fatwa. I went to our home and my brother called me from Afghanistan. He was trying to convince me, to tell that, you heard the fatwa and the Sheiks and the Imams talking about it and tried to convince me, but I didn't hear any of that. Then he tried to get through the affection side and said you know I missed you and I love you, my brother, come and see me and stay with me for a little while. So therefore, I really, the reason that pushed me to leave my house is not the Taliban or anything like that. I went to go see my brother. To hear the fatwa is not an accusation or it's not a charge or a crime.

***The Personal Representative was then requested to read each statements from the Unclassified Summary of Evidence (Exhibit R-1) to assist the Detainee in addressing each point. He went on say that the Detainee had already addressed the first allegation and he would therefore begin with point number two.***

***3.a.2. Detainee traveled in the summer of 2001 from Saudi Arabia to Pakistan then into Quetta, Afghanistan, where he sought out Taliban members.***

I cannot get to my brother only through the Taliban. That's the only way to get to my brother. Even if he were with the Coalition Forces, I would have gotten to him. My goal was to get to my brother by any means possible.

***3.a.3. Detainee traveled to Khawaja Ghar and received weapons training in the use of hand grenades.***

Yes. My brother taught me how to use it then. I really don't know; is it a crime or is it an accusation; somebody learning about this weapon? You have to keep in mind that I did not use any weapons when I was with my brother. Even to take my turn as a guard, they wouldn't let me take my turn. On top of that I was really young at that time. I was

only 17 or 18. So I didn't use nor did I participate in anything, but my brother taught me how to use it.

*3.a.4. Detainee was already familiar with the use of the Kalashnikov rifle.*

That is true.

*3.a.5. Detainee retreated to Konduz after bombing raids began in North Afghanistan.*

When the operation started they ordered me and my brother to go back to Saudi Arabia. The guy who was in charge of us told us that Nososurie (ph) was already in the hands of the enemy. In the hands of Dostum, who was one of the warlords. He said all roads are blocked so there is no way you can get out. So we waited and everybody was going to Konduz which was the only way to go.

*3.a.6. Detainee surrendered in Mazar-e-Sharif and was put in Jenki prison where he was wounded in the prison uprising.*

Yes. That is true. Yes, it was an uprising in the prison and I was hurt just by standing in my spot. Again, I really don't know, is this an accusation just being there and being injured.

*3.b.1. Detainee was on the frontlines in Khawaja Ghar manning a foxhole for five months.*

Yes, I was with my brother on the front lines but being in charge for five months, that's the first time I ever heard of this. I was in charge? They never even let me do my guard turn so how could I be in charge.

*3.b.2. The Detainee admitted that he fought with the Taliban.*

No. I never fought with the Taliban. I just was with my brother. And I never even shot one shot.

***The Tribunal President confirmed that the Detainee had concluded he's statement.  
The Personal Representative had the following question:***

Personal Representative question

Q. When was the last time you saw your brother?

A. My brother was with me in the same prison. I saw him when I was getting out of that prison and that was the last time I saw him. After when I was injured I don't know what happened to him

***The Personal Representative had no further questions. The Tribunal members posed the following questions:***

Tribunal Members' questions

Q. How old are you?

A. I think I'm 22 going of my year calendar which is 1403. I think I'm 24 going on 25.

Q. Please tell us about your education. How far did you advance in your studies?

A. I reached college and stayed in college only for two months and then...

Q. What is the approximate age of your brother and his name?

A. His name is Adjhar Rhaman (ph). He is older than me about two or three years.

Q. Have you had military training?

A. No. Just the Kalashnikov and as I told you my brother taught me how to use hand grenades.

Q. How did you learn to use the Kalashnikov? Who taught you?

A. I had one previous trip to Afghanistan. It was like training to learn how to use the Kalashnikov.

Q. Was that with your brother as well?

A. Yes, he was with me too. My brother was with me but he wasn't the one who taught me.

Q. So was your brother then a member of the Taliban?

A. I really don't know. He was with me so I didn't stay there long and then came back.

Q. Did you participate in the intafadah at Jenki?

A. No. I was hurt, right in my spot I was actually tied and I was hurt.

Q. Where were you wounded?

A. In my stomach.

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Q. Gunshot?

A. I really don't know what it is.

Q. Did you still have a weapon with you when you surrendered at Mazar-e-Sharif?

A. Yeah, when we got to the check point at Mazar-e-Sharif they told us to put our weapons down.

Q. And you had a Kalashnikov and any grenades with you?

A. Yes, I had Kalashnikov and some hand grenades.

Q. How long was your brother in Afghanistan?

A. I really don't know. I think you can find through the computer or through the (inaudible) because the Saudi Government ordered his travel his passport (inaudible). The first time I worked with him, we entered Afghanistan together. I stayed only a month, I came back but he stayed there. That's the first time.

Q. Why did you go the first time to Afghanistan?

A. The first time my brother when he was there he came back and I wasn't actually a dedicated Muslim. I wasn't dedicated or anything. He saw me and said look at you. You are not a man. You are wasting your time. He started talking to me and you don't know how to do anything. No weapons, no training, no education. You have to be a man. You have to learn. This kind of talking got to me.

Q. What did your brother do in Afghanistan?

A. He didn't really much. We used eat and sleep and he used to take his guard duties and that's it really. Not much.

Q. Do you believe in jihad?

A. I never went to jihad.

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Tribunal Member's questions

Q. Did you travel to Afghanistan on a Saudi Arabian passport?

A. Yes.

Q. And who paid for your travel to go there?

A. My brother.

*The Tribunal President thanked the Detainee for participating in the process and confirmed that he had no further evidence or witnesses to present to the Tribunal.*

*The Tribunal President explained the remainder of the Tribunal process to the Detainee and adjourned the Tribunal.*

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

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