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Statements made by Detainee as Recorder was reading Unclassified Summary

When asked by the Tribunal President the detainee stated he understood the process and he did not have any questions.

The detainee stated the last time he was interrogated they wrote something about him that he never mentioned or admitted to [detainee did not specify to what information he was referring].

[Recorder then began announcing the general nature of the evidence, reading from Exhibit R-1. Detainee began spontaneously responding to each point]:

Recorder: "The detainee is a member of the Taliban."

Detainee: "I am not a member of the Taliban."

Recorder: "The detainee joined the Taliban in 1998, where he received training on the Kalashnikov rifle in Kandahar Afghanistan. Over a year later he stayed in a Taliban guesthouse where he worked for the Taliban military."

Detainee: "I never mentioned those and I was never a member, I was conscripted into the Army."

[At this point, the Tribunal President informed the detainee that he would have an opportunity to respond and make any statements he desired later in the proceedings. The detainee agreed to hold his comments until the appropriate time.]

Summarized Sworn Detainee Statement

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

You mentioned that being forced and not being forced are the same. How can a person that is forced or not forced to do something be equal? In Afghanistan everyone is required to serve in the military, if you don't you are punished. So, if I was taken by force by the Taliban, how can I be a member? If I'm not willing to do something, but forced by a soldier to do it, how can the two have the same meaning?

I totally disagree with your statement that I joined and was a member of the Taliban. I never mentioned this or admitted to this.

[Referring to Exhibit R-1]: The statements about them giving me a Kalashnikov rifle is true. They were transporting us from Konduz to Kandahar. You can check the past history of my country, when they are at war they take people by force. I own land and a house; if I didn't obey them they would have taken my house and farm from me. If you

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don't agree with them they will beat and torture you and then throw you in prison. I was compelled to be with them, not a member.

Summarized Answers in Response to Questions by the Tribunal Members

Q. When were you forced to join the Taliban?

A. Because of how long I have been here I don't remember and our calendars in Afghanistan are different.

Q. Was it before the bombing from the United States?

A. Yes.

Q. Where did you receive military training?

A. I never received training. I was taken to Kondus where I served food.

Q. Are you a member of a tribe or clan in Afghanistan and if so, which one?

A. I am from the Helmund providence, Ali-za clan, Pashtun.

Q. Is this tribe or clan associated with the Taliban?

A. I am a Pashtun and the Taliban are naturally Pashtun.

Q. The Northern Alliance is also Pashtun, why did you not side with or join them?

A. I have no affiliation with the Northern Alliance or Taliban. At the time I didn't side with either of them. I was working my land, they came and told me I had to join the military.

Q. Did you fight against the Northern Alliance, Massoud's forces, or any United States forces?

A. I have never fought I was forcefully taken.

Q. What did you do while in captivity or while you were with the Taliban?

A. I served them food.

Q. How did you lose your leg?

A. I stepped on a leftover Russian mine.

Q. Was this before or after you were forced to join the Taliban?

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A. It was while I was with the Taliban. I was going to a family member's home and stepped on the mine.

Q. How did the Taliban force you to join them? Did they come to your land and take you or did you go somewhere to sign up?

A. They came to my home and took me.

Q. How long did you serve with the Taliban?

A. I have been taken three times and served a total of about five months. The first time was for three days, the second was two months, and the last time was about two and a half months.

Q. Do you have any other evidence to present to this Tribunal?

A. I wanted my witnesses to present my evidence.

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

A. Yes, I have exhibit D-B.

AUTHENTICATION

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

A large black rectangular redaction box covering the signature of the Tribunal President.

Tribunal President

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