

Detainee's Sworn Statement – ISN 111

To the President of the Tribunal, I am thankful to the American government for allowing me the time to discuss my situation before this Tribunal. I am asking you to consider my situation and help me as much as you can, and along with that, I offer my thanks.

I want to thank the American government and the American people and the military for helping the Iraqi people get rid of the cruel regime of Saddam Hussein. This would not have been accomplished without the American government. We thank you for getting rid of Saddam Hussein.

I have never been an enemy of America. I'd like to be a United States person. I'd like to be an American person. This is a very important point in my life and the situation. This is a good chance for me, talking directly in the court. This is my goal in life.

Before, when I was living with my family, times were bad; I was homeless. The bad times and the homelessness and bad luck are behind me, because I'm poor.

All my time in jail, I never was a bad person. A lot of people are in jail because they have [bad] luck, especially Iraqi people. I was in the service of the United States and was trying to help the Americans the best way I knew how.

Mr. Judge, I've never been an enemy of America. I think America did a great job for my people and my home there. My full name is Ali Abdul Motalib Hassan Al Tayeea. My parents are both Iraqi. We are a poor family from the Shiite Muslim community. My family was tired of Saddam Hussein's regime and the injustice to my family and my home. You know that Saddam is a Sunni. Not all Sunni are bad, but Saddam was mad at the Shiite people because they don't need [didn't want] to fight in Iran and they don't want Saddam to stay in Iraq. This is a unique problem that is bigger than me; I'm just a person.

I was young when Saddam took control. My birthday is 2 October 1974 and I graduated high school in Baghdad in 1994. I went to high school at night because I was working during the day to help my father. My job was with machines.

My family and I had a hard life. I request that the Judge give me the chance. One time in my life, I want to feel human. This doesn't mean I'm not human; I'm human, but I never had any chance at life. I want to help my family and I want to help myself. I want to save enough to not have a homeless life. I sleep in the city streets and in jail and from my life, it has taken a lot. It has taken a lot of time from my life.

My problem isn't just because I'm poor or that Saddam's government killed my second uncle. My problem, I'm sorry to say in front of the two ladies, but I want the Judge to know everything about me.

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I was never a "homo" or gay, but I have a problem. I can't get married because my penis is small sized. I went to the doctor and they said there is no help. They said I couldn't have an operation or surgery of any kind because I'm poor. I want to get the operation or drugs in America or Europe. Who can help me? I can't talk to my family about this problem, because it is too shameful. This is not my fault and I still feel like a man. This is bullshit and it's a big problem for me.

When I was first in Iraq I knew I needed America to help myself because I don't want to stay alone in life. I don't want to be homeless. I want to be a clean man and have a good job. I want to be a good person and a father of a small family with a wife and kids. I don't like jail and I don't like to fight.

This problem has taken all of my life and my thinking. For example, when I was in school, a lot of my friends were married. I look at my friends and say they have a good life. I can't stay in my house, because my father and mother are waiting very anxiously for me to get married. She says she has a nice girl for me to marry, because she says this is my goal in life. I run away from these questions from my mom. I told her that I want to go to college and be a good person. My family said it was a bullshit reason and that I'm Arabic and I can marry and complete my life. I can't stand the sight of my mom, because she says, "my son, I want to see your kids." I just kiss my mom and I say "maybe someday."

In America this is only a little problem, but in my home and in my life, it's very difficult when the day gets dark because I hate running from my people. I feel someday I'll go back to my home and I'm sure that all of my friends are married now. This is not just me in my family; it's also my younger brother. He was born in 1980. He's big and is a nice guy, but he has the same problem. I know about my brother, but my family doesn't.

Someday, I hope to go to America and get a good job and be a good person and help my brother because this is my goal in life.

I know that the other Detainees were living the high life and have rich families and they come to fucking Afghanistan. I'm sorry; I'm picking up the American dialect because of the MP's.

I knew there was this little fucker, Usama Bin Laden, and the fucking Taliban. If I saw Usama Bin Laden, I'd kill him.

I never left my homeland for Afghanistan like a lot of others. That's bullshit. Fucking Afghanistan and my fucking bad luck. It's just my fucking bad luck. The homeless and everybody in Pakistan...you can't find food. I would sleep in the cemetery. I would find a small amount of food on the ground.

Please, Mr. Judge, I want you and the gentlemen of this court to know...

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Tribunal President: If I could just stop you for a moment. To clarify, I am not a judge and this is not a court. This is a non-judicial hearing.

Detainee: I understand what you say. I call everybody judge, even the interrogators.

Tribunal President: Just so you are clear and understand this is not a court of law.

Detainee: Thank you gentlemen for giving me this chance to talk. My English is not good, but I'm trying.

The Detainee would switch between English and Arabic throughout his statement.

Tribunal President: We certainly want to provide you the opportunity to tell us whatever you feel we should know because we don't know anything about you. We've come here with an open mind and our job is to determine if you've been properly classified as an enemy combatant or not. We'll take everything into account.

Detainee: The Iraqi government condemned us. On November 21, they killed my second uncle, Mohammed Ali Awayd Hassan Al Tayeea for some political situation. My uncle was in Baghdad and the decision came from the security department.

I spent so much time in prison under the Saddam regime. The government was very bad to my family. They were watching my house and we couldn't even have a wake for my uncle. My father buried my uncle in one of the Shiite graveyards. After that, the government made my aunts leave their jobs because they didn't want them to work for the government and my uncle had to leave his job at the airport. My father was working as a driver in the Iraqi oil refinery. He used to drive everything and he didn't get anything from the Iraqi government.

Three years later, after the death of my uncle, my youngest uncle, Abdul Bassat (phonetic), went to Europe, taking the northern route in Iraq during the hard time of fighting between Iran and Iraq, in 1984.

The purpose of this war was to kill Iraqi people for no reason...by Saddam and his government. After the death of my second uncle, it was considered a big problem as far as Iraqi laws and government. The government officials came to the house tens to hundreds of times and asking the family all sorts of meaningless questions.

When I was in Iraq, during my schooling and service, the person in charge was a guy from the Al Garath (phonetic) organization. He was from the security unit and he was asking a lot of silly questions about both of my uncles. Those two uncles were my direct uncles. Most of the questions were, "where is your younger uncle?" "Where did he go?" "Why did he flee the country?" "Who were his friends inside Iraq and which one helped him flee Iraq?"

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These were bad questions for a young person because they scared us. This is when I was in school and was in the Army. I don't want to talk to them, the security office, about this. I just told them "I don't know, they're dead."

The Detainee had to compose himself for a moment.

I'm sorry; they've broken my life and my family's lives.

They were asking so many silly questions, like "Did your father know anything about your two uncles?" My answer was "He knew nothing about that and doesn't know anything about it."

Even during elementary school there was discrimination. How cruel Saddam's regime was toward my family. They were separating people that had a member of their family condemned by Saddam Hussein, who left the country to go to Europe or somewhere else, or was imprisoned by the Saddam regime. Every day was worse than the other. I will provide you with my uncle's address, who presently lives in Holland and holds a Holland citizenship: 263531061S, in Amsterdam, Holland.

My youngest aunt is presently in Denmark. They went to Denmark through the United Nations as refugees and they never helped me and I place the responsibility on them. They should have provided for me; they are my family.

In 1994, I finished school with a very acceptable grade point average, but my financial condition was so bad. Due to the situation I was in, I wanted to get some medication for myself and it's only available in the United States. This is very simple medication, as far as you're concerned, but to me it was very expensive because I don't have any money. I hid all of this from my friends and my family because my situation is considered shameful in my country. They did not consider (inaudible) a human. That's not my problem and I could be treated. I wanted to treat my condition because I'd like to be a husband and a father.

I was respected in my country. I was working in the mornings as a mechanic, helping my father and I was carrying the family responsibility. I was also studying in the evening to escape from the military training in the country, which is compulsory and everyone has to do it.

My trade as a mechanic is good. My search for medication and treatment for my situation occupied most of my thinking. I was thinking about it all the time, especially because I'm a man, but I feel that bad because of the shortness of my private part.

I've practiced sex with some Iraqi females, but I paid money for that and they laughed at me because of the size of my private part.

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January 7, 1995 I went to the compulsory service and became a soldier in Baghdad. I was at the Kharh (phonetic) training camp for basic training. Three weeks later we went to the Republican Guard.

We moved to another camp because the Republican Guard was at a different camp, but it was the same shirt, same Army and was the same bullshit, especially if you were just a soldier and you were poor. If you had money or had family working in the government you could have a good time in the Army. They would stay in their house and they do their service in their house and they'd come and harass you, because there is nobody looking. They are the government for Saddam.

The people were scared. They are mad at Saddam, but they are scared. For example, I can't say I don't want to be in the Army. Bullshit, they'd put me in jail.

That's true, because I did run away from the Army. They took me back to the Republican Guard at Al Taji to train me how to salute, follow rules, obey orders and how to use a Kalashnikov. That's an obvious thing in Iraq because the Russian Kalashnikov was available anywhere in Iraq. In school, they force the students to learn how to assemble and disassemble a Kalashnikov. Everyone is supposed to do that because it's an order that came from the government that's ruled by Saddam. At that camp, I was mistreated. I didn't have any food. That camp was nasty.

After that, I was transferred to a training institute of the Republic in southern Iraq in the Al Soura municipality, Unit 167764. Because I graduated from a trade school, I worked as a layperson. I did this work until I became a driver for the Commander, Suhail Muhawish Jashim Al Jawi. I did this to escape the wrath of the Major of the training camp, Colonel Mazar el Tikriti. He's from Saddam's family.

The Detainee had to compose himself.

I'm sorry for this long situation, but they were unjust to me. They beat me many times, and I'll never forget it.

Tribunal President: That's okay. We're here and will listen as long as you want to talk to us.

Detainee: Thank you. Mazel Abdul Karim Abedi was an assistant to the second person in charge of the factory. He was very cruel and he imprisoned me so many times because I hid the truth about the death of my uncle, Mohammad Ali and the escape of my youngest brother, and my escape from the Army in February 1996.

I escaped to northern Iraq with my friend, Ali Hassan Sarayseh, who was also escaping from the Army. Too bad we got arrested before we got to the northern border, because the man who was responsible for taking us out of there [the Army], was working for Saddam's government. His name was Dale Shat (phonetic) and he's a Kurdish citizen.

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This guy turned me over to the security at the border to the Sunni people. He turned me over to someone named Daoud who was a very cruel man. He hit me with a stick and I will not forget that for the rest of my life. They treated me as an animal.

Northern Iraq used to be considered an enemy to the government. After they searched my clothes, they found a red piece of paper that was given to me from the security office in Baghdad, which showed about the death of my second uncle; the one they executed.

I was hit so many times because of that piece of paper. The same day, April 1, 1996, they turned me over to security. They were hitting me, spitting on me and slapping my face. They had me blindfolded and they tied my hands behind my back with telephone wire. I could feel it restricting my blood circulation. They were hitting me with cables and sticks. This is normal. If they catch anyone, they beat them. This didn't just happen to me; it happened to a lot of Iraqi people. For what? For nothing. Because they don't like Saddam's government. It's bullshit, and it wasn't just the males. In the night, you can hear the guards punish the females and you listen to that and think, my God.

I was 22 years old then. Two weeks later we were turned over to the interrogators in an area called Al Zingeh (phonetic) because we were escaping. After hitting us and interrogating us, 10 days later, they sent us to Baghdad. Our travel was terrible because the Commander was so lousy. They loaded us into a small pickup truck and we were in the cabin. We were on the ground and he'd put his feet in my face, my head and my pants. The plastic and glass were in my eye and the wires made me cry because there was no blood in my hands. It was so far away; it was 450 kilometers. They would beat us and they talked bad shit about our family and sisters.

We arrived with our hands tied and our eyes blindfolded until we got to the interrogation offices in Baghdad in a place called Al Khademeh (phonetic), between the bridge and a city called Al Adameh (phonetic). After we arrived, we understood and we cannot forget. They changed our clothes with very bad clothes and they took us someplace, hitting us along the way.

They'd make your finger touch ground, your face is in the ground and you walk fast and someone behind you, pees on you from behind. If you stop or slip on the ground, it's a big problem...big problem.

They put me in cell #17 with four other people that I don't know. Two days later, they took me for interrogations. I came back and they were carrying me with a cover because of the way they beat me.

All of the questions were about my uncle that was executed and the piece of paper that they found on me. They asked why I wanted to go to the area that was against the government. My only answer was that I needed to work in northern Iraq because of the

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difference in money. If you don't know, Saddam money is different from northern Iraq. Northern Iraq was using the old money and it's more expensive than Saddam's money.

Regarding the piece of paper that with me, I told them it was so the Kurdish people wouldn't interfere. I told them I was a good person and I wasn't against the system.

Two days later, they brought me back a second time. This time was a little better, because I was very sick. This time, they were just happy to slap my face. They were torturing me by using the telephone and passing the electricity into my fingers at night. Then, they brought me back to my cell and my answer was always the same.

Two weeks later, they sent me to the Republican Guard security office. The reception was so bad that I wished I were dead because of how bad they were. I was in the worst physical condition.

After a week or so, they sent me to another military office, to the Police Army. That place was so bad. Having spent a little time there, I went to that training camp on June 20, 1996. I met the Colonel. He was very afraid. He was afraid that I gave information about him or anything about the thievery and the stealing he always ordered me to do.

July 1, 1996, they took me to a second military court in Baghdad in a municipality called Al Wileel Helah (phonetic). The name of the judge was Colonel Salah Nasar Al Dulemi (phonetic) He sentenced me to be executed. They were going to shoot me because I was escaping to an area against Saddam. On the same day, the same judge changed the sentence to one year in prison because of the United Nations decision in 1995 about the oil for food program, before Saddam Hussein and his government changed the decision from a military decision to a civil decision. Going against Saddam Hussein and his government was cause for execution.

I thank the United States government for halting these activities. I will not forget that for the rest of my life. They helped me in Iraq and I hope they help me.

After I finished my sentence and they took me from the factory area, I was taken to do work of a normal soldier. For example, you'd be assigned a post for four hours and then at night, you'd have the same thing.

The Tribunal took a short recess.

Tribunal President: I am sorry for the delay.

Detainee: No problem, gentlemen. Thank you gentlemen and ladies for listening. I'm sorry my story is so long, but I need to tell you and I want you to understand me and know my reasons and why I left my home. I love my home.

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Tribunal President: We understand. You went through the trouble to prepare this statement, and we will hear it.

Detainee: Thank you, gentlemen. After spending the day in prison, I went from the factory to the other camp. Two months later I had a military vacation and Colonel Al Jawi sent me a warning. He said I had to leave the house because they changed one of the military officers. Major Sa'ab Al Tikriti was an officer to the Republican Guard. He was asking me to come in for interrogations about the thievery and robbery in Iraq. He told everybody there to capture me as soon as I got back and turn me over to security.

The same day, my friend came back to my house and told my mother, while I was outside the house. I escaped to Nasiriyah because my oldest aunt was living there. I stayed there for a while and then came back to Baghdad. I went to the Colonel to pick up a piece of paper that would allow me to move locally, inside or outside of Baghdad. He gave all of the forged documents. He sent me to a Sergeant Allah Nassir Al Awan to get additional documentation to protect me from the military police.

He ordered me not to go to the house. I went from there to the municipality of Al Khaldeh, where my aunt lives. I spent a few days there and then I went back to Nasiriyah. From there, with a sum of money, I left the military unofficially and escaped the institute. Even though I stayed there for 6 months, and couldn't leave the area. My sister helped me with that sum of money.

I was escaping from the military service because that happens a great deal in Iraq. You can go from one unit to another unit by bribing people. You can check my military record. I was with the Guard and I was taken to a different place.

The money I had was equivalent to almost \$150. To you, this is nothing, but to us; it's a lot of money. I could not go to the house because the guards came to the house so many times. You can check that with the Mayor of that area. They would search our house so many times.

They came to inspect under the supervision of Major Abdullah, who is a murderer and a bad person. He was in the same unit I was in and he knows me directly. He used to hate my guts because I was a prisoner and moving back in forth. He was in the government and he's young, like [born in] 1972. He was barely 25 or 26 years old. He is cold and has no heart.

He once called me "Kiki"; it means "homo." If you are someone's "homo", you are called "Kiki." It means nice boy. I'm sorry, but he's a motherfucker. If I was there, I'd fucking kill him. He would search mother and my sister. He was mad at me because he was at the same unit with me. He would ask me who helped me and I'd never give an answer.

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On December 16, 1998, I left Iraq, on my way to Jordan, using my Iraqi passport. I don't know anyone there. I had a few bucks that could last me three days. I stayed in the worst hotel; worse than the streets.

He said I could stay for one night for one Jordanian Dinar. When I spent all of my money, I called my uncle in Holland. I charged it to the hotel's phone, because I didn't have any money to go outside to make the call. My uncle never even sent me one Jordanian Dinar. He's an asshole and a motherfucker, but he's my uncle and I miss him.

He just lied to me. I called my sister and she talked to the employees of the hotel and told them that she would send the money because the owner of the hotel was going to turn me over to Iraq for not having any money. I didn't have any money because I kept my passport.

Then, my sister sent me \$100 and I went to Libya. After I stayed there for two or more months, I obtained a visa from the Tunisian government in Libya. I then went to my sister's house. Once at my sister's house, I stayed for 3 ½ to 4 months, trying to get a visa to any European country. I was unable to do that because every embassy I went to refused me because they don't respect the Iraqi passport. They said that if they gave me a visa, once I got there I would ask for asylum.

When the Iraqis go over there, they go to the police, and go to the United Nations office and get asylum. That's if he has good luck; if he has bad luck, he's like me and homeless.

After I left Tunisia and went back to Jordan, I went to the United Nations and asked for asylum. I explained my situation and it was all in vain. I presented them with the letter issued by the government to execute me. That piece of paper is available with the United Nations. My file number 702 in the year 1999 [is] in Jordan.

My residency expired in Jordan because they did not give Iraqi people more than six months to stay in Jordan and we could not work there. If they caught you working, they would deport you back to Iraq. Whether you were working or not working really made no difference. They had certain times they could go out to the streets and catch the Iraqis and return them. The name of the police was the Al Wafadin.

The reason for this was that Saddam's regime was providing all the oil to Jordan for free. For that reason, King Abdullah's executive order said that if an Iraqi is found to be working or in Jordan for more than 6 months, they would be caught and sent back. They sent a lot of people back, and the people had all kinds of documentation from the United Nations, but the government did not respect that visa. That situation applied only to the Iraqis.

For the poor people like me, we had to find work in Jordan because it was so expensive and we didn't have any money. I was working in a company that deals with mechanics.

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It was a Jerusalem company in an area called Abu Alanda. They paid me so little. It was just enough to eat for the week. An Iraqi must work. Any other nationality was allowed to find work, but not the Iraqis.

Then, my sister came with her husband from Tunisia. They passed through Jordan and I took \$300 from them. They were on their way to visit my family. She would visit them every 4 or 5 years.

I bought a visa with that \$300 so I could go to Syria. This visa can be obtained in any travel agency for like \$200 or \$250. The name of that company translates to Golden Travel Agency.

After that, I went to Syria in January 2001. After 7 months in Syria, because it's a very poor country, I couldn't find the work or the money to help myself or help my family. After I saved some money, I was compelled to sell my Iraqi passport in a place called Al Sayedeh, which is a place for Shiite people. I sold it for \$100 because Iraqi passports are not respected worldwide. I bought, from the same person, a Moroccan passport. My name in that passport was Mubarak.

The purpose of that passport was to go to Turkey because I can go to Turkey on a Moroccan passport without a visa. I didn't have the money to buy a European passport, but if you have money, you can buy any passport. In Iraq, people carry briefcases with 100 passports in them. They can change a passport for you immediately, but cannot change any document from Syria.

They Syrian government would overlook that and say it's not a problem, but nobody changes Syrian documentation.

From there, I went to Istanbul. I was there for 3 days and on September 1, 2001 I bought a ticket on Holland Airlines to go through Amsterdam to Casablanca, because I had a Moroccan passport.

Unfortunately, they caught me in the Istanbul airport because I do not speak French. They examined my passport many times and everything was fine, except it was the wrong picture. That's not bad for a homeless Iraqi that wanted to go to a different country. That was my only purpose.

I wanted to get off in Amsterdam, but they captured me before the plane took off, and then I was beaten. They put me in jail for a month. They took me to court and they ordered my departure back to Iraq.

In northern Iraq, there is an area called Zakho. After the imprisonment and the routine interrogations, because I was not Kurdish, they turned me over to (inaudible) and there were other Iraqis with me.

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I told them I was escaping from the Army and I wanted to go to As Sulaymaniyah. The other Iraqi people with me said not to go inside Iraq and if they asked where I wanted to go I should say As Sulaymaniyah.

Tribunal President: Where is that?

Detainee: It is in the northern Kurdish government [limited autonomous area of Northern Iraq for Iraqi Kurds who lived there]. It's another town with different conditions. They were working with Saddam because they would transport oil from Iraq to the Turkish border. We went there because it was a safe place for us. After they asked me and I said As Sulaymaniyah, they asked if I had family there, and I said yes.

They put me on a bus, because no one was walking anywhere. At the As Sulaymaniyah border, they asked me where I wanted to go. I said my name was (inaudible). I gave them another name because I know it's bullshit.

At the first border, they asked who I was (inaudible). The Turkish police caught me in the airport and bagged me again in northern Iraq. I told them I don't want to stay because I have a bad situation and problem. They asked me if I had anyone, and I said, honestly, no.

So, they put me in jail for 2 days. The conditions were very good; there was food and smokes. I had \$100 saved from my money. They didn't take my money because I put the money inside my shoe. I had to carry it in my shoe because the Arabs, they are motherfucking people [they would have stolen it].

Those mother fucking police. They said to go directly to the security office and they'd take information from me about my name and they'd give me a small piece of paper to go to any hotel. I'd have to go every night to the security office to get this piece of paper.

The hotel was very cheap. Many Iraqi people were going somewhere else because it was cheaper. I could stay for either 25 Dinars or 10 Dinars. They said it was good.

On the second day, me and my friends went to the ICRC office and talked to them about our situation, about how the Turkish police had bagged me. They made me a case, but I don't remember the case number. There was a female that worked there from Belgium. They helped me for 150 Iraqi Dinars because there was no food or work for the Arabic people. It was too hard.

After this, I couldn't stay at the hotel. It was bullshit and I found a job. I crossed the border back to Turkey and found a job in a little factory as a mechanic.

After a month, my friends and I went to the security office and said we wanted to go to Iran. We were given a small piece of paper and they said we could leave. I couldn't leave from the Kurdish border because they would catch me repeatedly. There were

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people with me and they would only help us to the Kurdish border. They said at the Iranian border, we would have to take care of ourselves.

They took our money and they moved us. We then stayed with this young person named Naji. He's normal, we found him at a coffee shop on the border and he asked us where we wanted to go.

We went across the Turkish mountains and walked through the mountains for 8 days, on October 10, 2000.

After we arrived inside the Turkish [border] there was a little town and I was separated from my friends for 2 or 3 days. I don't speak Turkish and the Turkish people don't speak English, except a little bit. I asked many people where to find the United Nations and no one answered me. After two days, I found the United Nations office. I went inside and requested asylum.

They asked my name and I gave them my cousin's name, Mohammed (inaudible). I couldn't give the same name I had given the United Nations in Jordan. These people, the officials, don't know what is happening outside. The people would help you for money, for \$3000. The rich people who had money could go to America or Canada. But poor [people] sleep in the cold because the Turkish (inaudible) didn't work. I found work at night. My job is very good, because I can always find a job.

After 3 months I went back to Istanbul and the police captured me and bagged me. They peed on me again. They told me to go to the same place. I went to the ICRC office in February 2001. It was very cold and I had no money. I found a job just to take food and a warm place.

They told me to go to a camp and stay and they'd give me food and then after 3 months, they'd give me money. This is all I had. The Kurdish people said (inaudible) office. I was in opposition of Saddam.

This camp was bullshit. They have nothing except 3 officers. They give you free food, but it's very bad and it's cold. I just wanted to be warm. I left to go back to Iran.

I was contacted by my brother in Canada. He sent me \$100 to go back to Iran. But, he sent me \$100 Canadian Dollars and I didn't know it was different from the American Dollar. I exchanged it in the northern office for \$50.

Me and two friends from the same unit didn't want to stay. We went back to the security office and asked again for the piece of paper. They said no problem because they knew I was a good person and I was three months and there was nothing bad about me, because I was watched.

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After I went with my friends to Iran, they said we could find a job. Iran is not my goal. My friend had a little room because he could speak good Farsi. He's from my big family.

After I stayed 90 days, he said we should stay there because Iran was good for us. I said I wanted to leave because there's no United Nations office in Iran. I said I wanted to go to Turkey and he said I'd need \$300 or \$400 bucks, so I said I'd go to Pakistan.

He said he'd help me go to the bus, but I couldn't talk to anyone because I don't speak Farsi. He got a ticket from me. He told me to go to Mashaad (Iran) to a Shiite Mosque. He said if I see the police are watching me; don't go because sometimes the police are bullshit.

I went from Iran to the United Nations in Quetta, Pakistan. I gave them a different name, the name of my friend. After two days in Quetta, which is a small town, I met some Iraqis that said I should go to Islamabad, and if the police asked me for money I should tell them I have none.

Then, after two days, I went to the United Nations and asked for asylum and gave them my cousin's name. After 3 months of hard times in Pakistan, I had asked Iraqis for help. I followed a Pakistani person who sent me to the Islamic Office because they would treat me good. He sent a letter with me and helped me with a taxi. I had to tell him that my name was Ahmed, because Ali is a Shiite name.

I said that I wanted to go, I needed a job and I was hungry. They then sent me to Afghanistan to get a job. By God, before I didn't know about the fucking Taliban. I learned about the Taliban when I was in Afghanistan, because in Pakistan they called it the Islamic Office.

This was about 20 days before 11 September, and I didn't know the Taliban was an enemy of America. They are not my people. I was hungry. It was a good time for me because I found food.

The people in Afghanistan (inaudible). I never prayed before. I was drinking every night. It's fucked up for me, because I'm hungry. So, they moved me from Pakistan to Kabul.

I'm done now, so you can ask me the questions. I'm sorry and thank you for listening.

The Personal Representative then assisted the Detainee with answering the points on the Unclassified Summary of Evidence (Exhibit R-1):

- **3(a) The Detainee is a member of the Taliban.**

I joined the Taliban when I was in Pakistan about 20 days before September 11, 2001. I didn't know the Taliban was an enemy of the

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United States. I used to think the Taliban was an opportunity for me to work, to avoid being with no money and to eat.

- **3(a)1 The Detainee traveled from Iran to Pakistan in July 2001.**

I went to Iran through northern Iraq, and the Kurdish government was aware of my entrance. It's normal if someone obtains an exit visa from the security department in the Kurdish government.

I was with 4 or 5 Iraqi guys, who were very respectful people. We crossed the borders illegally, close to the cities of Salandig and Aromia. From there we went to Kum. I went there to see a friend of mine named Abass Maalo (phonetic). He is a respected man and he was with me at that al Ahra camp. He is against the government of Saddam and he helped me get to Pakistan, because he knows his way around.

I was in Iran for 90 days and Abass got me a bus ticket to go to Mashaad and he asked me not to speak on our way and not to talk to females, even if she was very beautiful. Once in Mashaad I was to go to a place called Zahaden and there was an area called Faka Naraque, where they would take people to the Pakistan border.

I arrived there by myself and entered Pakistan and went to Quetta by bus, with the help of a Farsi guide. In Pakistan they speak a little English, which helped me. There were close to 100 people on the bus, in addition to the animals and other people sitting on top of us.

- **3(a)2 The Detainee stayed at a military training camp (al Ahrar) for three months.**

Yes, in the beginning of February 2001. After the Kurdish police took me back from Turkey the 2nd time by accusing me of passing through the border illegally.

There was snow in the streets and there was no place for me to go because I didn't have any money in my pockets. There were people who were a force against Saddam. Massim Jalad (phonetic) was the (inaudible) President. He's big business.

- **3(a)3 The Detainee was trained on basic soldiering skills at the camp.**

That camp is considered a center for all the people escaping. This was in exchange for three meals and some clothes to keep you warm and blankets. There was just training on basic things because the majority of

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the people there had escaped from the military forces in Iraq and they already had decent training.

- **3(a)4 The Detainee stood guard duty at the camp with a rifle.**

Yes.

- **3(a)5 The Detainee stayed at a Taliban house in Kabul, Afghanistan.**

Yes. This was when I was entering Afghanistan on August 20, 2001 and I didn't know any other place to go to, especially since I was with the Pakistanis.

- **3(a)6 Men arriving from the al Farouq training camp stayed at the Taliban house.**

That's true. That's not my problem. I was different from them. I wanted to go to Kabul and I was never in the al Farouq camp.

- **3(a)7 The Detainee was a truck driver for the Republican Guard.**

Yes. In the Army, I was a driver and a mechanic at different times.

- **3(a)8 The Detainee was a driver for the Taliban.**

Yes, that's true, because I didn't want to carry the weapons on the front lines. Being a driver is my job. I don't believe in the Taliban, but being hungry and homeless, I worked there for 2 ½ months and traveled in an old Russian car called a Gas 66. There are many of these in Iraq; it's a bullshit car. Everyday there was a broken engine, so I requested the money to fix it. I put a little of the money in my pocket and I'd go fix it. I didn't want to go every day. The fucking Taliban is fucking my life.

I was forced to go to the front lines because I was asked by Abdullah Hamas, who was the person in charge.

They put me in a building with the Pakistani people and Tajikistan people. There was no one Arabic in the building. After 6 or 7 days he asked me many bullshit questions. He said he knew I was Shiite. They put Shiite people in jail and kill them because they are bad. I knew how to answer. I said no, my name is Ahmed and I asked him if I could go back to Pakistan and I was told no, because we were there.

He talked to all the Pakistanis and the guards and told them not to let me leave the building except to pray. I can't not go, because they'd know.

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So, they taught me the Sunni prayer. After 8 days like this, the Arab came at night directly to the 2nd floor, where I was sleeping with the Pakistanis.

The Pakistan people said the Arabs were coming if I wanted to talk to the Arabs. I was desperate to talk to anyone Arabic because I don't speak Pakistani.

It was bullshit for me. I asked this person, and he didn't answer me because I have no beard. Before I never had a beard.

In my religion, Shiite, only old men have beards. My brother and father have no beard either. The beards are bullshit. They have bullshit rules.

After a few days talking to some Arabic people, they asked me where I was from and I said from the Army, but I didn't give out my name. I said I was from Baghdad.

One person who was with these people was John Walker. When I saw him, he had a different face because he's too white and his hair is blonde. He spoke very good Arabic; he speaks better than me. His grammar was too hard for me.

After 5 days like this, I saw John Walker inside the building. I asked him if he was Arabic and he said no, he was from Greece in the north by the Turkish. I speak Turkish a little bit, so I said good morning or good night in the Turkish language to him and he didn't answer me, but he was a good guy, I promise.

These people, they lie about John Walker. He was a jackass and he's young and doesn't know anything about the Islamic religion. They just broke his mind and taught him Islamic. Islamic doesn't mean to kill people, like they do.

After a few days they moved us from Kabul to Konduz by plane. I'm not a jackass. I know they're watching me. I was in an Iraqi jail and I know.

The person who was watching me is here now. There are times I was eating breakfast and all they talk about is how the Shiite is bad and they kill me when they talk like that, but I can't answer.

They moved me to Konduz and after one night, we were moved in a big truck to northern Afghanistan, near the Tajikistan border. Those 15 days were very hard for me.

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I thank you because I'm here now and it's good luck. The Taliban is fucked up, I'm serious. Before I was here, they watched. I cannot be like them and I was laughing at something because I wanted to change. They pray like 20 times a day. That's too hard for me. What the fuck? I've got to say this 20 times? That's fucked up.

They say Usama Bin Laden is a prophet or something like that. That's bullshit. After 11 September and after they shot Massoud, I don't know. In the night they shot guns in the sky. I asked what happened and they said the Taliban killed Massoud. I didn't know who he was. They said he was the first enemy of our religion.

After 2 days the people were quite and scared. Some people said they were happy because of the two towers. After 2 days they said Usama Bin Laden did it.

I couldn't run away...it was fucked up. A lot of people were scared and many ran away. A person like me can't run away. I can't go to the Afghanistan people. If I said I was Taliban they would kill me.

The bombs started and many people died. Do you know what I was doing when the people died? I was searching pockets and taking the money. Hey, if they died, it's not my problem.

After a few days we went back to Konduz. It was 27 kilometers or 55 miles to walk.

- **3(b) The Detainee supported forces engaged in hostilities against the United States and its coalition partners.**

I didn't know the Taliban was an enemy of the United States. I was in Afghanistan before 11 September. I couldn't run away. By God, I promise you, I was never an enemy of America. I was just like a little scared mouse. If I had known the Taliban was against America, I wouldn't have gone. I am homeless...I'm homeless.

- **3(b)1 The Detainee was on the front lines with the Taliban, who were fighting against the Northern Alliance.**

Yes, I was in the north, but I didn't know. I was just a driver; it's not my problem. After I was in the north, I couldn't get back. Put yourself in my place. If I had \$100 in Pakistan, I wouldn't have gone to fucking Afghanistan, I would have gone back to Iran, but I didn't have money.

- **3(b)2 The Detainee was on the front lines for two and a half months.**

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Yes. The 2 ½ months includes the whole time.

- **3(b)3 The Detainee surrendered at Mazar-e-Sharif.**

Exactly, but I have to say something important about this point. After the lines were broken, the Taliban was back to Konduz. After we stayed in Konduz for about 15 days, they said we'd go to Pakistan and have a testament with Dostum's Army at Mazar-e-Sharif and they'd transfer us back to Pakistan. I was very happy about this, because it's done. I had \$500 I stole. I was a member of "The Good, the bad and the ugly" movie. I'm serious. It's my favorite movie.

They let me drive the 16-ton pickup to Konduz. There were 6 trucks. We drove through the night from Konduz to Mazar-e-Sharif.

With Dostum's Army, there was no more Taliban. I was the first truck to go inside Mazar-e-Sharif, and I'm a very good driver. But, about 8 miles before Mazar-e-Sharif, they met with us and removed us from the trucks and they took all of the weapons.

I was very happy because I was thinking they'd give us to the American government. This is good for me.

After they took the guns, I was the first truck. I was happy and they could see it in my face and everyone told me not to be like that. I was very happy.

They put us in Qalai Janghi (prison) and they checked us again. One of the people had a grenade and he killed himself because he didn't want to stay. They put us inside shelter. There were maybe 650 people in a place like a kitchen. On the second day, I was beside the door. The Pakistan people are very stinky. They use oil and they are very stinky.

Then I was taken outside and they tied my hands behind me for two hours, took my shoes and put me in line.

There was an American with a camera and was asking who we were in Arabic. They kept saying they were Pakistan. He asked me and I said I was Arabic. After that, he sent a guard to remove me because he wanted to talk to me. They moved me with a gun to my head.

I said, please gentlemen; I want to give you information. He asked who I was and I said my name is Ali and I'm from Iraq and I want to tell you the people here are Arabic. They said thank you.

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He told me his name was [REDACTED] from the CIA. He had on a blue coat and he took the information from me. He then said he'd see me again in the camp. When they move you to the American camp, I'll talk to you.

They asked me if there were any Americans here. I said I don't know but there was a blonde guy, John Walker. I didn't know he was American because he said his name was Abdul Hamid and the second time he said he was from Ireland.

When he told me he was from Ireland, I asked him what was going on with his government between the Catholics and Protestants.

There was another blonde guy they asked me about who said he was from Russia. He [REDACTED] thanked me. You can check the cameras.

Now, all the people were outside and we hear the bomb and someone from Dostum's Army had a machine gun on his shoulder. He opened fire on people. People were yelling "please don't shoot" and he opened fire. The people beside me were (inaudible). This is a reflex. There is nothing you can do. Some people stood up and some people stayed down.

There were RPGs and Kalashnikovs. There was nothing we could do. We were in the center and fire came from everywhere. A lot of people died. I laid down because my hands were tied.

I asked someone to just open my hands a little bit. I begged for someone to just open my hands because they had been tied for a long time with wire and they were blue and cold. They opened my hands and I went inside the shelter.

There was bombing and fire for the first three days. It was dark and you couldn't see who your neighbor was. Like 70 people died and it smelled bad. After 3 days, Dostum's Army...they thought we had guns. There were some people outside fighting because of the reflex.

We were inside the shelter. I didn't fire because I'm not a jackass. I stayed inside. After 3 days, they opened the window and put fire inside the shelter and there was nothing we could do about it. Many people died in the fire and it smelled like steak.

I looked and I was beside John Walker. After this they put water in through the window. John Walker was tall and he's beside my shoulder. Some of the Detainees that were short were under water. It was like this for 8 days.

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The water went down after 3 or 4 days and Dostum's Army sent someone who spoke a little English who said they'd give 2 or 3 hours and if no one came out they would kill all of us with fire.

Everybody was scared. I said fuck it, I'm going outside. I told the person I was an American person. I don't know who I said it to. He said the ICRC was outside and they promised not to hurt anyone. I said I was an American person and I wanted ICRC and I had no gun.

They said they wouldn't shoot me. I was the first person to go outside, but I couldn't walk after being in water for three days. They dragged me and put me on the ground.

When I got out they asked if I was American and I said, "no gentlemen, I'm Iraqi." I had to help myself. I told them people were scared. So I told everyone that ICRC was here and not to be scared, so everyone came up...John Walker included.

The first question I asked them was about smoking and they gave me 4 cigars.

After a month they took me because I was English and said they wanted to thank me for getting the people out and giving the information. They asked me for more information. After a few days they took us to the Kandahar camp. There were 600-700 Iraqis and Pakistanis, the jail was real tight.

They took 6 or 7 of us and moved us to the Kandahar camp. The American people speak very fast and I couldn't understand them. They said I thought you spoke English, I said yes but they talked too fast and I didn't understand what they were saying.

At the camp, I gave good information because they said if I did, they'd give me asylum.

The other Detainees want to kill me and they know my address. They want to kill me because I'd talk to the American interrogators and I'd be gone for 2 hours. They'd notice that when I got back and the Kuwaitis and the other rich people said they were going to kill me and my family, even if it wasn't now or next year, then in 10 years. The money was nothing for them and they'd lose all their money to kill me.

Do you know why they put me in this camp? It's because it's a safe place. I've never had trouble with the MPs either. The Detainees have spit and

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thrown pee many times in my face and talked bad shit because I gave information.

The Detainees asked me why I give information to the Americans and I say "fuck you, you're fucking wrong. You're my enemy."

For this, I have asked the American government to help me with asylum because my life is in danger. These people...you can check with the interrogators. It's not just me, but there's another Detainee who is my buddy and he's giving information.

You can ask him how many times I've asked. Please, they know my address. I ask you please about asylum. I help myself and I can't be with my family because I'm scared for them. Maybe they've killed them already, but I'm scared for my family.

The other Arabic people say that if they kill a Shiite person there's no punishment. They are wrong. They are very fucking wrong. I know Islam and they are not Islamic. They are bullshit.

I'm happy now. There's no problem with you shackling my hands, but if they put me in jail it's not safe. They'll kill me because they are bad people.

They call me motherfucker all the time and I say, "fuck Usama Bin Laden and fuck the Taliban." I'm very happy and I tell them I'll stay here forever and give information about them. I tell them fuck you if you believe Usama Bin Laden.

There's a big difference between the homeless and rich people that come to Afghanistan. The homeless people need work and they go to Afghanistan. A lot of the Detainees are poor and I just want one chance.

I wish America would just give me one chance in my life. I will be a good person. I'd like to be an American citizen and a good soldier. I want to help my life and I want to help myself. I want someone to put his hands on my shoulder and say, "Don't worry." I'm sure this can happen in America.

I'm a good person and you can ask the guards here. They call me "Pimp Daddy." I don't have a problem with the MPs because it's their job and I thank them for giving us food.

This is my last point about the proof. I know I've talked a long time, but I want to talk about the proof.

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First, I'd like to inform you that the evidence is not truthful, but it is a fact that I'm homeless.

Point number one, because I am homeless, I did not join any forces whatsoever. I did not do anything or work any place to get proper documentation. I don't have any documentation to present to you. I don't even have a passport, because I sold it in Syria.

The second point, is I did not know the Taliban was an enemy of the United States. Had I known that, I wouldn't have worked with them, but I was hungry and homeless and it was prior to the attack. The Taliban office in Pakistan was giving three meals and clothes. This was an opportunity for a homeless person like me.

I was a driver. I would like to inform you that I was a victim of a war that was caused by Saddam Hussein and his government. I didn't leave Iraq and go to Afghanistan, but I tried my luck in other very poor Arabic countries, but again, I was unlucky and the result was that I was still homeless, poor and hungry.

The third point, I'm a Shiite and the Shiite is the Taliban's first enemy. The reason I denied the truth about being a Shiite is because I was hungry. If I could have found work in Pakistan, I would not have gone to the Taliban. I didn't hear anything about the Taliban prior to going to Afghanistan because in Pakistan they called it the Islamic Offices. Pakistan and Afghanistan are not my purpose in life. I would like to go to educated place with people with open minds, like the United States and Europe.

Finally, my life is threatened and my worst fear is that the rest of the prisoners have already sworn to kill me, even if it costs them everything. The reason for that is because I'm Shiite and I'm really their enemy because they call me a spy, especially the Kuwaitis, Saudis and Algerians. Their main purpose is to kill Shiites.

They want to kill me and my family and some people have even ordered a fatwa to do that. I'm not the only one, [there's also] my friend from Yemen. He's my buddy. He's threatened just like I am.

The ICRC and the interrogators are aware of that. Therefore, I ask you to allow me asylum in the United States and I will be a respected American citizen. I will be honored to serve the United States government. For the safety of my family, I don't want to be close to them so they will not be threatened.

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I request human treatment and I hope you provide safety to me, because I trust the United States will provide this for me.

Tribunal President: Just so you are aware, we have no jurisdiction over your request for political asylum.

Detainee: I just gave you my story and am requesting it.

Tribunal President: We will make it part of our report that we send up to the Convening Authority.

Detainee: I am not an enemy of the United States and I never will be, I swear to that.

Tribunal President: We will take everything you've told us into serious consideration as we make our determination. Is there any other information you would like to make known to this Tribunal today?

Detainee: I just want freedom. I miss freedom and I miss my family, but I can't go back to my family. The first reason I can't is because of my problem. If I got married it would help. I like my home, my mother and my father. I'd like to help my father; maybe in 20 years I could buy a house for my father. My parents have nothing.

Perhaps the United States or Europe will give me asylum. The second reason is about my life. By God, the Detainees are serious about killing me. You don't even know what's happening in the Delta Camp and even in Camp 4. I never had any problems with any MPs. All the MPs joke and laugh with me.

The other Detainees are mad at me and they make up bullshit information about me. By God, if they have information about me, I'm not scared. I give information because if I keep it, it's bad for me.

I looked for [REDACTED] from the CIA. Nobody asked about him in the Kandahar Camp and I asked about him. I told them I was talking to [REDACTED] from the CIA and that I had been giving him information. They told me [REDACTED] died.

So I talked to the other person from the CIA and they said they knew everything and that I wasn't a liar. I give the truth. They had cameras. Look at all the information about the Detainees in Afghanistan. The FBI knows that I'm the one that told.

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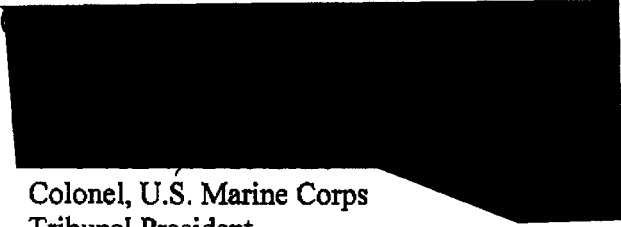
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By God, Usama Bin Laden and those guys are my enemy. Thank you, sir and thank you gentlemen. This is my most important point. I have never been an enemy of America and I will never, never be an enemy. America helped my family and they were helping Iraq. If I have a chance to be an American soldier, I would. It would be a good job for me. If I go to America, it will be my home. This is my life.

Thank you, sir.

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

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