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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee said something but the Translator could not hear him. The Tribunal President told the Translator to ask the Detainee to speak up. The Detainee said he couldn't speak any louder than that. The Detainee told the Tribunal President to continue.

When asked by the Tribunal President if the detainee had any questions concerning the Tribunal process the detainee answered, "No."

When asked by the Tribunal President if the detainee wished to make a statement to the Tribunal the Detainee asked: "Where did you get the information for all the accusations that were just read?"

Tribunal President: The information was gathered from classified sources.

Detainee: What can I do if the information is classified and it's all lies.

Tribunal President: You can tell us your version of the truth.

Detainee: I can't figure out where you got the information that I escaped to Tora Bora.

[Tribunal President asked if the Detainee wanted to make a statement under oath]

Detainee: You have all the statements.

Tribunal President: Would you like to make a statement to this Tribunal under oath stating you will tell the truth?

Detainee: You have the truth.

[The Personal Representative asked and was granted permission by the Tribunal President to speak to the Detainee.]

Personal Representative: They have not seen any information prior to this. This is your opportunity to explain your side of the story, if you would like to do so.

Detainee: How is it that you are holding a meeting and you haven't looked at the statements?

Tribunal President: The purpose of this Tribunal is to give a neutral look at the evidence and to make a decision as to whether or not you have been properly classified as an enemy combatant.

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[The Translator began translating what the Tribunal President stated and was interrupted by the Detainee.]

Detainee: Read the first one.

Tribunal President: Very well, we will proceed with his statement, un-sworn.

[The Tribunal President then asked the Translator to read the unclassified summary starting with the first one.]

[The Translator read 3.a.1. "The detainee voluntarily traveled from Yemen to Afghanistan to receive weapons training for use in a tribal war in Yemen in 2001."]

Detainee: Is that the accusation?

Tribunal President: That is a statement of evidence.

Detainee: Why are the Americans asking me about this? Why is it their business?

Tribunal President: You have been classified as an enemy combatant against the United States. This is the evidence we are using to determine whether that classification is correct or not.

Detainee: Regarding number one; it is not the United States business and it shouldn't be the Yemeni government's business. Logically it does not make sense to include that into evidence.

Tribunal President: Go to number two.

Detainee: Since you asked and I answered you, why don't you answer me. Tell me what business is it of the Americans or the Yemeni government?

Tribunal President: We are here to ask questions not answer them.

Detainee: If it doesn't concern you then why classify me as an enemy combatant?

Tribunal President: I didn't say it didn't concern me.

Detainee: Being an enemy combatant, does that mean I went against the United States?

Tribunal President: You have been classified by the United States as an enemy combatant.

Detainee: We will discuss this one point at a time. In regards to number one, being classified as an enemy combatant, what kind of evidence do you have?

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Tribunal President: This is the unclassified summary of evidence we have read to him.

Detainee: Number one is the most important part because it determines if I am staying here or leaving. I still don't understand why you are concerned with that. If this does or doesn't concern you, why treat me as an enemy combatant?

Tribunal President: Our reasons are not an issue here, what is an issue is the facts.

Detainee: You either misunderstood or you are accusing me of something I never did. Why are the Americans concerned about them? This is the most important question to me.

Tribunal President [referring to 3.a.1.]: Is it true or not?

Detainee: It's true, but is that reason enough to classify me as an enemy combatant?

Tribunal President: Individually it is not but in compilation with the rest it may be.

Detainee: We will look at all the items here and see what you people come up. So, the first of the seven points is what helped classify me as an enemy combatant?

Tribunal President: "Yes."

Detainee: Explain to me each of these seven points and if you don't have an answer, just say you don't have an answer.

[One of the Tribunal Members asked the Tribunal President if he could try and explain the process to the Detainee.]

Tribunal Member: Let me try to explain what we are doing here. Your interrogators and others that work for the United States have decided that you are an enemy combatant. We are an independent group that is supposed to look at all the evidence. We look at the evidence that your accusers give us and we listen to what you say. Then we decide whether your accusers are right and you should be classified as an enemy combatant or if they are wrong we should send you home. So, we might look at number one and say, "you're right that doesn't have anything to do with you being an enemy combatant," and ignore it. But before today we haven't looked at any of this evidence or heard anything you had to say. We don't know anything about this case until right now when we look at it all.

Detainee: How do you classify me as an enemy combatant if you don't know what the interrogator said? You haven't looked at the file yet.

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Tribunal Member: The government has classified you as an enemy combatant. We are going to look at the files to see if we believe it or not. If we don't believe it, we will say they are wrong and that you shouldn't be an enemy combatant.

Detainee: That means at this point and time, you have no response to question number one.

Tribunal Member: Correct, we are not here to answer questions. We are here to look at all the evidence.

Detainee: Fine.

[The Translator read 3.a.2.: "While awaiting transportation from Kandahar to Al-Farouq, the detainee stayed at Al-Nabrass, an Al-Qaida safe house."]

Detainee: That's true.

[The Translator read 3.a.3.: "The Al-Nabrass safe house was frequented by Usama Bin Laden."]

Detainee: What difference does it make?

Tribunal President: We don't know at this time.

Detainee: What difference does it make, if it was Usama Bin Laden or somebody else?

Tribunal President: It shows a connection to the Al-Qaida organization.

Detainee: What difference does it make if Usama Bin Laden visited our place?

Tribunal President: It's understood, go to number four.

[The Translator read 3.a.4.: "The Detainee attended the Al-Farouq training camp in 2001."]

Detainee: That's true.

[The Translator read 3.a.5.: "At the Al-Farouq training camp, the detainee received training on the AK-47 rifle."]

Detainee: That's true.

[The Translator read 3.a.6.: "The Detainee fled the Al-Farouq training camp to the Tora Bora Mountains in September 2001."]

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Detainee: That's false.

[The Translator read 3.a.7.: "Pakistani Authorities held the detainee at the Pakistan/Afghan border when attempting to flee the Tora Bora region in October 2001."]

Detainee: That's false.

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

Detainee: I would like for you to answer me when I ask you a question.

Tribunal President: I will answer any questions you have about the process, but I will not answer any of the questions you have asked so far.

Detainee: That's the most important thing, if you were going to answer me. My leaving Yemen and going to Afghanistan has nothing to do with Al-Qaida or fighting.

Summarized Answers in Response to Questions by the Recorder

Q. At what time and under what circumstances did you leave Al-Farouq?

A. They took us from there and I didn't know where we were going. They took me to another place to finish my training.

Summarized Answers in Response to Questions by the Tribunal Members

Q. Why were you in Afghanistan, just for training?

A. That concerns the first part of the evidence.

Q. Why didn't you receive training in Yemen?

A. You mean from the Yemeni government?

Q. No, just in the country of Yemen?

A. I am confused.

Q. Why did you have to go to Afghanistan?

A. That concerns part one of the unclassified evidence.

Q. Having said that, you went there to receive weapons training, correct?

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A. Yes. In Yemen it is hard to get training and it takes so long, about three years. In Afghanistan it takes only two months.

Q. Do you know who Al-Qaida or the Taliban are?

A. No.

Q. When you left the mountains from Afghanistan and went into Pakistan were you carrying weapons?

A. I had heard of the Taliban but never Al-Qaida until I came to Cuba.

Q. Did you know that the Taliban were in control of Afghanistan when you went there?

A. I also knew that Al-Masood was in control of certain areas.

Q. Did you know that Al-Masood's forces were fighting against the Taliban?

A. I didn't know until I got to Afghanistan.

Q. Did you know that some of the people trained at Al-Farouq were fighting against Al-Masood?

A. No.

Q. In Al-Farouq did you learn how to use weapons?

A. The AK-47.

Q. Explain how you were captured or arrested.

A. The money was mine, I turned myself over.

Q. To whom?

A. Pakistani Police.

Q. Where?

A. I don't recall.

Q. Was it in Al-Farouq, or the mountains, was it?

A. Inside Pakistan. I didn't have a passport and was looking for the Yemeni

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embassy.

Q. Did you have any weapons with you?

A. No.

Q. Why do you think you were handed over to the Americans?

A. I turned myself over so they would send me to the proper embassy; instead they turned me over to the American forces.

Q. Can you tell me how you got to Afghanistan, the mode of travel and who paid for it?

A. I paid for the trip. I took the plane from Yemen to Pakistan.

Q. Then from Pakistan to Afghanistan?

A. I took the bus.

Q. Where in Pakistan did you stay?

A. In a hotel.

Q. How long were you in the hotel?

A. A few days.

Q. Did you have any trouble getting across the border? Did you go straight to Al-Farouq?

A. No.

Q. Explain how you got there.

A. From the safe house to the camp, I took a bus. There were no problems taking the bus. Because of this I was classified as an enemy combatant.

Q. What happened to your passport?

A. It's in Kandahar at the guesthouse. If I had it with me I wouldn't have turned myself in and I wouldn't be here.

Q. Did you give your passport to some one in Kandahar? How did you lose it?

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A. I didn't lose it or give it to no one. When you arrive you are suppose to hand it over to some one.

Q. Someone in the government?

A. No, in the house where I was staying.

Q. So, you gave your passport to some one in the house where you were staying in Kandahar?

A. Yes.

Q. Why did you want to get training?

A. If you read the evidence, the information is in there. There were so many problems in Yemen, tribal problems, to protect myself.

Q. So, after your training you planned on returning to Yemen to protect yourself?

A. Yes.

[Tribunal President asked if the Detainee had any further evidence to present to the Tribunal]

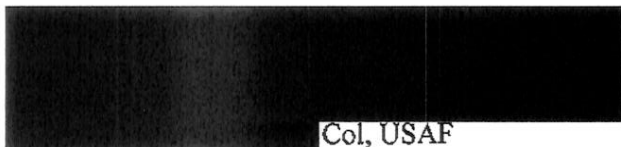
Detainee: What kind of evidence are you looking for?

Tribunal President: Are there any other statements you would like to make to explain your actions?

Detainee: No.

AUTHENTICATION

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


Col, USAF

Tribunal President

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