

**Summarized Sworn Detainee Statement**

*The Personal Representative made the following statement on behalf of the Detainee.*

Before commenting on the unclassified evidence he [Detainee] wants you to know he is innocent.

- **3(a) (1) Detainee is a French citizen who traveled to Afghanistan from London on 22 July 2001.**

The Detainee did this for the sole purpose of living in a Muslim lifestyle and society. Detainee made this trip to investigate immigrating to Afghanistan, which was under Sharia law. Detainee understands his religious obligation to find the correct Muslim lifestyle for himself and his family.

Detainee initially looked at Pakistan, but ended up choosing Afghanistan because it was a cheaper place to live and he could get a house for under \$3,000.00. The remarks by Detainee's brother in his affidavit, marked R-4 state this also.

- **3(a)(2) The Detainee trained with Kalashnikov rifles in Afghanistan.**

This is false. Detainee once watched someone assemble and disassemble an AK-47. This was strictly out of curiosity because everyone in Afghanistan had an AK-47.

Items 2, 4, 5, and 6, [of the Unclassified Summary]. These items refer to statements by Detainee and the translator that the Detainee dealt with prior to this tribunal and [according to the Detainee] did not give a correct translation. Therefore anything attributed to the Detainee in these statements must be questioned, due to that fact.

- **3(a)(3) The Detainee stayed at a safehouse in Kabul in the Akbar Khan Mina neighborhood, a known Taliban and Al Qaeda occupied territory.**

This is not true. The Detainee stayed at a house, not a safe house. This was just a house in Jalalabad that the Detainee stayed in on his way to Kandahar to look for potential places to live.

Concerning the statement about "known occupied territory," the Taliban occupied all of Afghanistan and it has nothing to do with the Detainee. The Detainee never had any dealings with Taliban or Al Qaeda. The first time he heard of the existence of Al Qaeda was on the radio after the 9/11 attack.

Again, on items 4, 5, and 6, [of the Unclassified Summary], each reference statements made by the Detainee and the translator used in the initial interview

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who [according to the Detainee] had problems with the translation. We uncovered many of these problems with our new translator today during the final interview.

- **3(a)(4) The Detainee stated that he traveled to a Taliban camp in Kandahar for training and also carried weapons into the mountains when Jalalabad fell to the Northern Alliance.**

This is false. The Detainee was at a house in Kandahar, not a camp. The reason he went to different houses is because he heard about the 9/11 attacks and was attempting to get to Jalalabad, and then exit the country to France. At one time, when he was in a house, he was told to leave quickly, empty everything in the room he was in, and throw it in the back of the truck.

In the room, there was a broken AK-47. The Detainee did put that in the back of the pickup truck. He did not keep it with him and it was not his weapon. The Detainee was doing a favor for Jafar, the individual that was helping him escape the violence that was coming. Jafar was going to help them get out of Afghanistan.

- **3(a)(5) The Detainee stated he arrived in Jalalabad in August 2001 and stayed at an Algerian safe house.**

That is correct, but it was a guesthouse, not a safe house. The Detainee stayed for 3 weeks and looked for a house to buy. The reason he went to several different places is that he was looking for a house to buy and then later to try to flee the country.

The Detainee had the money to pay for a hotel room, but because of the chaos when he was leaving the country, he was forced to stay in many guesthouses.

*The Personal Representative states that he entered into evidence documents from the evidence custodian showing that the Detainee had currency with him that would have been sufficient to pay for hotel rooms for a prolonged period while the Detainee searched for a house.*

- **3(a)(6) The Detainee stated that, after September 11, 2001, he met two fellow detainees at the same Algerian safe house that was located in Jalalabad.**

The Detainee remembers the young lady who translated his statements that day. He tried to correct her bad translation when he could. Despite that, the statement is false. The Detainee met the 2 people in question prior to 9/11. The first person came with him from France, through London to Afghanistan. The second person he met in London, as he was enroute to Afghanistan. The first person died in the mountains from sickness and cold when they were trying to flee the country.

Overall, the evidence tries to portray the Detainee as a fighter and because he has hepatitis C, scoliosis (which prevents him from standing for a prolonged period of time), and herniated disks in the C vertebrae of his neck, the combination of these things would prevent him from being a threat to anyone, let alone engaging in hostile actions.

The Detainee saw his travel documents, which include his visa, passport and airline ticket here in the camp shortly after his arrival.

*The Detainee interrupted and stated that the documents were not presented to him here; they were presented to him in Pakistan by FBI agents.*

*The Tribunal President commented, understanding why we could not find the documents here [in Guantanamo Bay].*

The Detainee was offering these documents as proof that he was house hunting for a short period in Afghanistan. The documents show he had a visa for 3 months time, not enough to train and engage in any hostilities.

The Detainee specifically remembers his airline ticket because the interrogator incorrectly looked at his time of departure, 2000 hours and thought it was the year of departure. They [interrogators] initially accused the Detainee of lying and later apologized.

**Questions by the Tribunal Members**

Q: Prior to traveling to Afghanistan, you lived in London for a time?

A: A few days, yes.

Q: Only a few days?

A: Yes, only a few days.

Q: Prior to that, where were you?

A: In France.

Q: What was the purpose of going from France to London? To facilitate your trip to Afghanistan?

A: Exactly. I can tell you the reason, if you want.

Q: Please.

- A: As I mentioned earlier, Abdul Aziz knew a lot about Afghanistan, and he told me that there was a person in London who would give us addresses and phone numbers for a point of contact when we got there [Afghanistan].
- Q: You received that information and then traveled to Afghanistan afterward?
- A: Yes.
- Q: Are you also Algerian by heritage, or only French?
- A: My Algerian heritage is only language, which I share with my parents.
- Q: So, your parents are Algerian, but you were born in France?
- A: My parents are considered French citizens because they were born and during the French (inaudible) [occupation].
- Q: Have you ever lived in Algeria?
- A: No, but I spent my National Service there.
- Q: Under conscription for the French military?
- A: We had the possibility to choose if we were going to stay in France to do it or go to Algeria. People choose to go wherever they want.
- Q: How long a time period was that?
- A: 24 months.
- Q: How did you serve while you were in Algeria?
- A: Civil Engineering.
- Q: Did you receive any military training while you were in Algeria?
- A: Just for parade. It might sound funny, but it's true. That's all my military training.
- Q: Only to march and drill in ceremonies?
- A: Exactly.
- Q: Not weapons, or anything of that nature?

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- A: Yes, we had to use. We shot 3 bullets with a weapon that is called Seminov (phonetic). Everybody has to go through that.
- Q: Besides your parade and ceremonies, what other training did you receive, besides what you just said?
- A: None.
- Q: Please tell us again about your exposure to the Kalashnikov rifles in Afghanistan.
- A: I was in a house in Jalalabad. As mentioned earlier, a person named Idious (phonetic). He dismantled it in front of us. That was it. That is what happened. There was no firing and we didn't even touch the weapon.
- Q: Why were you even present?
- A: Just curiosity, that's all. As you know, everybody there has a Kalashnikov.
- Q: How many people were there at the time he did this?
- A: Three, four, maybe five.
- Q: Were there any other weapons you were exposed to while in Afghanistan?
- A: No, none.
- Q: Were you captured in Afghanistan or Pakistan?
- A: In a mosque in Pakistan.
- Q: How many other people were you captured with at the time?
- A: I don't know exactly. It was the French group and other people. I would say 20, or so.
- Q: Were there weapons present at the mosque, even if they were not yours?
- A: No, I didn't see any.
- Q: Did you have any relationships with any individuals in Afghanistan that you knew to be affiliated with the Taliban?
- A: No, not at all.

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- Q: Even though your purpose for going to Afghanistan was your desire to live in an Islamic state?
- A: I don't understand.
- Q: You stated the reason you wanted to go to Afghanistan was because you wanted to see what it was like to live in an Islamic state.
- A: Yes, that was my biggest reason.
- Q: It would seem logical that you would seek out people who would teach you what it was like to live in an Islamic state, which Afghanistan was at the time.
- A: In Pakistan, not Afghanistan.
- Q: You wanted to live in Pakistan? I thought you wanted to live in Afghanistan.
- A: Yes. The purpose was to live in Jalalabad, which is a border city, so it's close to both. Islamabad in Pakistan has a big religious school. This is one of my main reasons.
- Q: All right, I'll ask it a different way. During the time you were in Afghanistan or Pakistan, you did not meet anybody associated with the Taliban?
- A: We met Taliban in the roads, but nobody that is really associated with me. They have checkpoints all over the country.
- Q: What I'm getting at, is people who would be in a position to help you.
- A: The only people that could help me were the French. I didn't speak Pashtu, so I couldn't communicate with people over there. The only person that was helping us was Jafar, who spoke Algerian, just like me.
- Q: As I understand what your Personal Representative said, you deny any association with Al Qaeda?
- A: Absolutely. All association.
- Q: Did you know any Al Qaeda fighters while you were in Afghanistan?
- A: No, absolutely not.
- Q: In Pakistan also?
- A: I didn't stay long in Pakistan. I stayed only 1 week, just to continue the trip.

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Q: You were in Afghanistan for approximately 5 months or so?

A: It was from August to September 11<sup>th</sup>, when the catastrophe happened in the United States. After that, we wanted to leave immediately, going through Jalalabad again. When we got to Jalalabad, Jafar told us we could not go. All of the borders were closed. He advised us to be patient and just wait there and maybe we could go later.

At this time, we went to the 2<sup>nd</sup> house in Jalalabad, called the House of the French.

Q: You were captured in November, December 2001?

A: I think it was December.

Q: The places you were in Afghanistan were Kabul, Kandahar, Jalalabad...anywhere else?

A: No.

Q: How did you fund your trip to Afghanistan?

A: With my own personal money.

Q: You went from France to London to Afghanistan. You left your family there in France?

A: I would never take my wife with me to a place I don't know yet, especially when we hear on the radio that there might be a little danger involved there.

Q: If everyone is carrying a Kalashnikov in Afghanistan, why would you want to move your wife and children there?

A: For me, I didn't know that. I wanted to see with my own eyes. On top of that, all that we heard about was mainly about the north and Jalalabad, as you know, is in the south, near the Pakistan border. That's why, if there were any problems, I would just go to Pakistan because that city is on the border.

*The Personal Representative wanted to clarify one of the questions regarding how the trip was funded. Looking at R-4, the affidavit of the Detainee's brother, it discusses, in length, that the Detainee was fully employed before he left and owned his own business.*

*The witness, Khalid Bin Mustafa, was called and took the Muslim oath.*

**Questions by the Personal Representative to the Witness**

Q: Can you tell us why the two of you went to Afghanistan?

A: Of course. I would like to know if Redouane Khalid asked for me as a witness.

*The Tribunal President advised the witness that the Detainee did request him as a witness.*

Q: Can you tell us why both of you traveled to Afghanistan?

A: I personally went to visit Afghanistan with my own eyes if it is [was] convenient and the right Islamic country to live in. It is the same for the Detainee. He told me he wanted to go see Afghanistan and eventually immigrate.

Q: Could you tell us where you met for the first time?

A: At his wedding, in Paris.

Q: Could you tell us the length of time you were both in Afghanistan?

A: If I recall correctly, it was August 2001. As far as I remember, we left 1 ½ months after the problems of September 11<sup>th</sup> in the United States, the beginning of the war.

Q: Were you both together most of the time you were in Afghanistan?

A: Yes, we were almost always together.

Q: Did either of you engage in any weapons training?

A: No, never.

Q: Can you tell us the circumstances under which you left the country?

A: We left the country in the beginning of the war. We didn't have the possibility to leave Afghanistan on our own, so we waited for a guide. We stayed for 1 ½ months because we were waiting for a guide.

Q: Did you ever have any contact with members of the Taliban or Al Qaeda?

A: No.



**Questions by the Tribunal Members to the Witness**

Q: Were you captured with Redouane Khalid?

A: Yes.

Q: Please explain the circumstances of your capture.

A: We left Afghanistan with no problem. We wanted to enter Pakistan to get to France. We wanted to go the legal way, with our own passports and our own papers. As you know, [along] the roads between Afghanistan and Pakistan, there are a lot of villages to go through. We arrived in Pakistan in a village. The people of this village gave us a place to stay. They told us we had to go to the police station or the police representative. They said the police would take us to our Embassy. That is when we were arrested, without incident.

Q: Where was the police station where you were arrested?

A: The police came to the village to take us. They told us to come with them.

Q: You were in the village in Pakistan when the police arrested you?

A: Yes.

Q: How many were among you when you were arrested?

A: It wasn't a huge number, 10 more or less.

Q: All of the French speakers together, or other nationalities?

A: I was only with the French. I didn't visit the whole village to see who was there, but I know it was only French.

Q: Are these the people you traveled with all the way from Afghanistan to this place in Pakistan?

A: Yes.

Q: When you were captured by the police in the village, please explain what happened there.

A: As I said before, there was no incident. It was without handcuffs. They came and explained to us that they had to interrogate us and then they would release us to our Embassies to be released to our countries. When we went to the police station they put us in prison.

Q: When the police first came to seek you, were you guests in someone else's home?

A: Yes. First we were in a house and then we went to the village mosque.

Q: That is the place they came?

A: Yes, the cars came within 5 meters of the mosque.

Q: Was there ever a time, during your time in Afghanistan, where you and Redouane Khalid were separated?

A: No, we were always together. He might have gone to the market and came back, but that's it.

Q: Did you receive any training on weapons while you were in Afghanistan?

A: No. I saw weapons there, but we never received any training on weapons.

**Questions by the Tribunal President to the Witness**

Q: When you were captured, or taken into custody by the Pakistani police, did you have any money with you?

A: Yes, I had some money, but it was stolen from me.

Q: It was stolen when you were arrested by the police?

A: Yes, the police took it.

Q: How much money?

A: Not a whole lot, but I personally had about \$1,000 French Francs.

Q: Did you have, in your possession, either a visa or a passport?

A: I had with me my passport, my ID, my visa, everything was in order.

Q: Did you or anyone in your group have weapons when you were arrested?

A: No. We were captured without incident. We went with no problems. No one had weapons.

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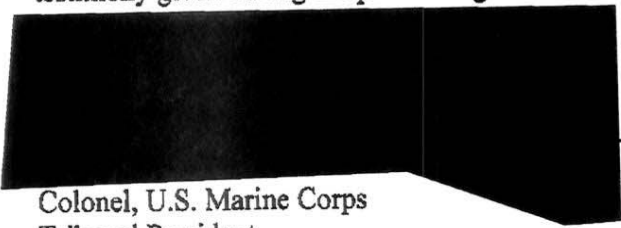
*The Tribunal President asked the Detainee if he had any additional information to present to the Tribunal.*

*The Detainee stated that he would love to show the Tribunal President his documents to show that he was legal.*

*The Personal Representative stated he had no further witnesses, but points out that the witness also stated their documents were legal.*

**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

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPRCID SEQUENCE NUMBER	
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		ISN <span style="background-color: black; color: black;">[REDACTED]</span>	
		CRD REPORT/CID ROI NUMBER	
RECEIVING ACTIVITY Criminal Investigation Task Force		LOCATION Guantanamo Bay, Cuba FPO AE 09593	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED  <input type="checkbox"/> OWNER CW4 <span style="background-color: black; color: black;">[REDACTED]</span> , JTF-160 <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) JTF-160 Guantanamo Bay, Cuba FPO-AE 09593	
LOCATION FROM WHERE OBTAINED From the hand of CW4 <span style="background-color: black; color: black;">[REDACTED]</span> while at the JTF-160 Property Room.		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1045-1047 22 JUL 02
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>	
1	1	50 French Franc currency notes. Serial Numbers: "U036557488". Notes placed in white envelope, which was marked for ID with <u>1075, 22 JUL 02, TTH.</u>	
2	4	500 French Franc currency notes. Serial Numbers: "D009882731", "R024429773", "R011461588", "S026204336". Notes placed in white envelope, which was marked for ID with <u>1046, 22 JUL 02, TTH.</u>	
3	1	5 English Pound currency notes. Serial Numbers: "ED72435545". Notes placed in white envelope, which was marked for ID with <u>1077, 22 JUL 02, TTH.</u>	
////////////////////LAST ITEM////////////////////////////////////			
CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 3	22 JUL 02	[REDACTED]	Seized as Evidence
1-3	22 JUL 02		Released to EVIDENCE CUSTODIAN
1-3	31 JUL 02		change of primary custodian
1-3	24 OCT 02		CHANGE OF PRIMARY CUSTODIAN
1-3	7 DEC 02		Change of Primary Custodian

DA FORM 4137  
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and  
DA FORM 4137-R, Privacy Act Statement  
26 Sep 75 Which are Obsolete.

LOCATION TTH

DOCUMENT NUMBER 209-02

Exhibit D-b

DP -
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EVIDENCE/PROPERTY CUSTODY DOCUMENT			MPR/CID SEQUENCE NUMBER
For use of this form see AR 190-45 and AR 195-5: the proponent agency is US Army Criminal Investigation Command			CRD REPORT/CID RCI NUMBER
RECEIVING ACTIVITY <b>65TH MP CO</b>		LOCATION <b>KAN, AF</b>	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER <input type="checkbox"/> OTHER <b>R. JOONANE KHALID</b>		ADDRESS (include Zip Code)	
LOCATION FROM WHERE OBTAINED <b>KIA STHE</b>		REASON OBTAINED <b>SEPARATE</b>	TIME/DATE OBTAINED <b>31 024300Z 01</b>
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(include model, serial number, condition and unusual marks or scratches)</small>	
✓1	7	<b>5000 BILLS, SN: AB7879002K ✓B</b> <b>AD722261000 ✓B</b> <b>AB42972195J ✓B</b> <b>AB44605139Q ✓B</b> <b>AB18307444R ✓B</b> <b>AB19640038N ✓B</b> <b>AF17405021B ✓B</b>	
12	1	<b>500 FRANC, SN 1436557488</b>	
13	4	<b>500 FRANC, SN D000882731, R024429773,</b> <b>R011461588, S026204336</b>	
14	1	<b>5 POUND, SN E072435548</b>	
5	1	<b>SPIRIT STICK</b>	
6	1	<b>Book brown in color, Arabic Writing</b>	
CHAIN OF CUSTODY			
		RECEIVED BY	PURPOSE OF CHANGE <small>RECEIVED BY</small>

Exhibit D-C