

Summarized Unsworn Detainee Statement (as delivered by his Personal Representative due to the Detainee declining to participate in the Tribunal)

Personal Representative reads statement on behalf of detainee marked as exhibit D-B.

3a. The detainee is associated with al Qaida and the Taliban.

I do not know al Qaida, of course. I have no relations with al Qaida. As for the Taliban, I went to see them according to the Fatwa, which says if they applied the conditions in the Fatwa, I will go for Jihad with them. I went to see if they applied these conditions and this is all in my file. The Fatwa is photocopied from a Pakistani newspaper in Arabic. It has been declared in a Pakistani Newspaper and the associated Scholar's name is also there. He is a Saudi. All of the details of the above account are available in my file.

3a1. The detainee was recruited at a mosque in Saudi Arabia to participate in Jihad.

I have not been recruited. I only took an address for Jihad in Kashmir [for a man]. (He is one of the Mujahadin.) All details are in my file.

3a2. Detainee received two weeks of weapons training on the Kalashnikov rifle.

The part that refers to 2 weeks of training is correct.

3a3. In November and December 2001, detainee met with al Qaida members while in Tora Bora, Afghanistan.

I passed through Tora Bora just to go to Pakistan. I truly meet some people who were Arabs but I truly did not know whether they were Taliban or Al Qaida. I thought they were with me because we were all retreating. I was late getting to the Front because I was part of the last group. Al Qaida do [does] not have a special uniform for me to recognize and avoid them.

3a4. One of the detainee's known aliases was on a list of captured al Qaida members that was discovered on a computer hard drive associated with a senior al Qaida member.

I know nothing about this. I gave my name to nobody. The front line where I went had no electricity. As for the aliases, there is more than one person with the same name. My nickname is Abu Grafar or Abu Ibrahim. How would they prove that this Abu Grafar or Abu Ibrahim is me? For example, David is so common a name among interrogators. It will be true only if there is a picture with the name. This question is to be turned to the owner of the computer.

3b. The detainee participated in military operations against the coalition.

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It is true I was in the front line but I did not fight because I went to see whether they applied the Fatwa conditions only.

3b1. Detainee was issued a Kalashnikov rifle in Bagram, Afghanistan to fight on the lines.

It is obligatory to receive a gun in [the] front line. It is not my choice but I did not use it. I was only observing if the Fatwa applied and not fighting. I was even transferred to the back lines. I was not even able to share the fighting. Actually there was no fighting during my time there.

3b2. Detainee fought the Northern Alliance from September through December 2001.

3b3. Detainee was instructed to flee Afghanistan and go to Pakistan via the mountains.

Tribunal President: All unclassified evidence having been provided to this tribunal, this concludes the open session of the tribunal.

AUTHENTICATION

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



Colonel, U.S. Marine Corps
Tribunal President

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188 Statement (LOW-SIDE WORD FILE) (1/2)

A. I DO NOT KNOW ALQUAIDA OF COURSE. I HAVE NO RELATION WITH AL QUAIDA. AS FOR THE TALIBAN, I WENT TO THEM ACCORDING TO THE FATWA, WHICH SAYS IF THEY APPLIED THE CONDITIONS IN THE FATWA I WILL GO FOR JIHAD WITH THEM.

I WENT TO SEE IF THEY APPLY THESE CONDITIONS AND THIS IS ALL IN MY FILE. THE FATWA IS PHOTOCOPIED FROM A PAKISTANI NEWSPAPER IN ARABIC.

IT HAS BEEN DECLARED IN A PAKISTANI NEWSPAPER AND THE ASSOCIATED SCHOLARS NAME IS ALSO THERE.

HE IS A SAUDI. ALL OF THE DETAILS OF THE ABOVE ACCOUNT ARE AVAILABLE IN MY FILE.

A-1 - I HAVE NOT BEEN RECRUITED. I ONLY TOOK AN ADDRESS FOR A JIHAD IN KASHMIR. HE IS ONE OF THE MUJAHIDEEN, ALL DETAILS ARE IN MY FILE.

A-2 - CORRECT

A-3 - I PASSED THROUGH TORA BORA JUST TO GO TO PAKISTAN. I TRULY MET SOME PEOPLE WHO WERE ARABS, BUT I TRULY DID NOT KNOW WHETHER THEY WERE TALIBAN OR AL QUAIDA. I THOUGHT THEY WERE WITH ME BECAUSE WE WERE ALL RETREATING. I WAS LATE GETTING TO THE FRONT BECAUSE I WAS PART OF THE LAST GROUP. AL QUAIDA DO NOT HAVE A SPECIAL UNIFORM FOR ME TO AVOID THEM.

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A-4- I KNOW NOTHING ABOUT THIS. I GAVE MY NAME TO NOBODY. THE FRONT LINE WHERE I WENT HAD NO ELECTRICITY. AS FOR THE ALIASES, THERE ARE MORE THAN ONE PERSON WITH THE SAME NAME. MY NICKNAME IS ABU GRAAFER OR ABU IBRAHIM (ABRAHEEM). HOW WILL THEY PROVE THAT THIS ABU GRAAFER OR ABU IBRAHEEM IS ME? e.g. DAVID IS SO COMMON A NAME AMONG INTERROGATORS. IT WILL BE TRUE ONLY IF THERE IS A PICTURE WITH THE NAME. THIS QUESTION IS TO BE TURNED TO THE OWNER OF THE COMPUTER.

B- IT IS TRUE I WERE IN THE FRONT LINE BUT I DID NOT FIGHT. BECAUSE I WENT TO SEE WHETHER THEY APPLIED THE FATWA CONDITIONS.

B-1: IT IS OBLIGATORY TO RECEIVE A GUN IN THE FRONT LINE. IT IS NOT MY CHOICE, BUT I DID NOT USE IT. I WAS ONLY OBSERVING IF THE FATWA APPLIES AND NOT FIGHTING. I WAS EVEN TRANSFERRED TO THE BACK LINES. I AM NOT EVEN ABLE TO SHARE IN THE FIGHTING. ACTUALLY THERE WAS NO FIGHTING DURING MY TIME THERE.