

Unsworn Detainee Statements

Detainee: I would like to know who is present with us in the Tribunal.

Tribunal President: As identified, the Tribunal Members, the Recorder, the Reporter, the Translator, and you know your Personal Representative. These other two gentlemen are journalists.

Detainee: Reporters [referring to the journalists]?

Tribunal President: Yes, for this open session.

Detainee: Tell them welcome.

Tribunal President: You have no objections that they attend this session?

Detainee: No. I have no objections, but the Commanders of the Tribunal, do they have a background in law or law diplomas, or are they just officers?

Tribunal President: They are military officers and one is a Judge Advocate General, which is a military lawyer.

Detainee: The others, do they know anything about the law?

Tribunal President: We have a general knowledge of the military and the Tribunal proceedings.

Detainee: I am a civilian, so how can you try me in a military court? Under what basis?

Tribunal President: This is not a legal proceeding. This is an administrative hearing to determine your enemy combatant status.

Detainee: Good.

*The Detainee asked what the Detainee Election Form was and the Tribunal President read it to him. The Detainee then stated he would explain why he did not call any witnesses when he makes his statement.*

*When the Tribunal President stated the Tribunal Members needed a minute to look over the unclassified evidence to become familiar with it, the Detainee stated it would have been better if the Tribunal Members had been familiar with it [the unclassified evidence] beforehand; that way, if there were any comment about it, the Detainee would have been able to respond. Additionally, the Detainee was concerned that a question would arise after he had left the Tribunal and he would not have the opportunity to answer the question.*

*The Tribunal President stated he would have an opportunity to review the evidence while the Detainee was still in the Tribunal and would be able to address any questions to the Detainee.*

*The Tribunal President told the Detainee the reason the Tribunal Members had not looked at any evidence prior to the Tribunal was to keep a clear mind as to the Detainee and his enemy combatant status.*

**Sworn Detainee Statement**

In the name of God, most Gracious, most Merciful. Thanks to Allah who, there is no God but him, and prayers and peace be upon our prophet Mohammed, the last of the prophets and messengers.

Hear now: From the beginning, the reason I didn't call any witnesses is because this matter does not require calling any witnesses. I know that the accused is innocent until proven guilty. In all of the law, witnesses are brought for the accused. I haven't heard of witnesses being called to prove that someone is innocent and has not committed a crime. First of all, prove that I'm a criminal, and after that I would need to prove that I'm innocent, and I will bring witnesses. That's why I did not present any witnesses.

Regarding my answer to the accusation that I am a member of Al Qaeda, so I say: that this accusation does not have anything to support it, but it is merely words with no evidence to prove it. As if monetary receipts were found on me to indicate that I had given financial support to Al Qaeda, or that I was arrested in a place specific to Al Qaeda, or that I was seen attending their meetings, or that it was found that I have a strong relationship with Usama Bin Laden, or during the time of my arrest or capture, I was found with a weapon. So on what grounds have I been associated with Al Qaeda when none of these things have happened?

The answer to the accusations that have been brought upon me. The first point, number 1. What is the relationship between traveling to Afghanistan and Al Qaeda? How can it be that travel to a large country with millions of people is travel for Al Qaeda, which does not even represent 1% of that number or population? For is a person who traveled to China considered a communist? And is a person who traveled to Iraq considered loyal to the Baath Party? So, how did you make the fact that I traveled to Afghanistan an accusation that I am a part of Al Qaeda?

As for the fact that I traveled from my country, Kuwait, after the events of September, this is a very natural thing. These events, the events of September, occurred in America. So the chaos and confusion was not present anywhere but America only. But as for the rest of the countries in the world, the situation was very normal. People were going about their routine lives. So, there was nothing strange about my trip.

Also I had met an Afghani man on one of my trips to the "Omra" whose name was Mohamed and he lives in Iran.

*The translator clarified "Omra" is when you travel to Mecca for worship. You can do it any time of year, except for the designated time for Hajj.*

This "Omra," millions of people go and do it every year. So this Afghani man proposed to me to travel to Afghanistan to teach the Koran and the Arabic language and Islamic studies. Because there are so many people in Mecca at that time, it is very normal for you to meet people and say "where are you from" and things like that. So, even though a person might have been a friend from before, it is normal to meet people during that time.

Returning to the subject. So, he proposed to me to travel to Afghanistan to teach the Quran, the Arabic language and Islamic studies. Of course, this is after he learned that I studied Islamic Studies for 4 years at the Imam Mohamed Bin Saud Islamic University. I had graduated with a "Very Good," just a few marks away from "Excellent."

I don't recall the date I met him [the Afghani man]. This man gave me his phone number and said to me "If you wish to accept my offer" and I mean traveling to Afghanistan to teach, "then call me on my phone and I will arrange everything." Then I returned to Kuwait and after a period of time when the problems happened in Afghanistan, I decided to accept the offer to teach in addition to helping some of the needy after my family had transferred some money to me. That was the idea, especially after I had seen on television the needs of the people.

That is not a peculiar thing because rescue work does not happen unless it is after a disaster or problem. In times of peace and security and prosperity, no one needs rescuing.

For your knowledge, war in Afghanistan had not stopped for many long years so there was no difference between before September or after. I had thought that the war would only be on the battlegrounds because I had seen when Iraq was in my country; I saw the fighting was only on the front lines. It would not go into the cities or villages, or that there would be an assassination attempt on certain individuals, for example, Usama Bin Laden, Mullah Omar, or any of the big figures that were wanted by America. For example, when they bombed the palaces of Moammar Khadafi in Lybia. After the event of a plane in Lockerbie [Scotland] or their kidnapping, as it had happened to the president of Panama, Noreiga, and that the matter would end at that.

I thought my trip would be via Iran, then Pakistan, and that is what I told my family, because I knew that the relationship between Iran and Afghanistan was bad because Afghanistan had killed diplomatic individuals who were Iranian, and that's when things started to deteriorate between the two countries. I thought the borders would be closed. But after calling that Afghani man Mohamed, he said to me "It is possible for us to enter

Afghanistan via Iran, for the border crossing point between them is operating," so I said "Then there is no need to travel to Pakistan, particularly since it requires another visa."

I just want to say that it is my nature to smile. I am always smiling, so it's nothing out of the ordinary. Don't think it is anything else.

*The Detainee had been smiling throughout the proceedings.*

And I had intended to stay for a short period then return. There are several facts that support that, including that I had sent my High school and University diplomas to the Arab Republic of Egypt so that I could continue my studies towards my Masters in Islamic Studies. I had paid my registration dues, and I was waiting for an answer to my application. This was before my travel. This was done through the Ministry of Higher Education in the country of Kuwait. It is a Government organization. My application, this ministry, was not closed until after my imprisonment.

If you want to verify this point, you can get in touch with your embassies in Kuwait and they will get a hold of the Ministry of Higher Education in Kuwait and they will give them receipts or documents that will show that I had registered with them and was waiting for my acceptance into that university.

I also presented my paperwork in order to improve my position at work from a teacher at Dar Al Quran, which is a part of the Ministry of Islamic Affairs and Charity, to a teacher at the Institute of Applications after I was sent by the government to obtain a Doctorate Degree. Those institutes award diplomas higher than High School and less than Bachelors. This did not happen because I was imprisoned.

You can also verify this. I had sent an application and I was waiting for a reply to set up an interview. After I came to this prison, I heard from my family that they [Ministry of Higher Education] had called my family and were looking for me to set up an interview.

So, how could I have traveled to meet with Al Qaeda, when I had made all those arrangements? And for your knowledge, my trip was via official channels and with government issued travel documents. There was nothing in my Kuwaiti passport to indicate that it was forbidden to travel to Afghanistan, for if there was a restriction, the mistake is on my government's part that did not tell me of this restriction. But it was written in my passport, on the first page, "This passport is valid for travel to all countries in the world unless it is otherwise mentioned" and they did not mention Afghanistan.

The Kuwaiti government does not restrict travel to any countries, even any Kuwaiti national who wants to travel to Iraq; the government does not tell them that they cannot travel to Iraq. The border point between Kuwait and Iraq is closed. If someone wanted to travel there, there is no law in Kuwait that says it is forbidden.

So, how can you say that my travel to Afghanistan was a crime, when my government did not restrict that travel?

This is the answer to the second point. After the fall of the Taliban, every Arab in Afghanistan was wanted dead or alive, whether or not he was a combatant in the first place. I heard they had started buying Arabs and selling them, so I became afraid at hearing this news so I decided to escape quickly.

It is known by you that a traveler, most of the time, does not carry his passport with him but leaves it with his valuables and luggage, especially in a country like Afghanistan. There is no one to ask anyone about identification in Afghanistan. You know that there are many highway robberies in Afghanistan, so how can I carry my passport and official documents with me?

That's why I could not return to my luggage. The events had started to evolve a very fast and dangerous evolution, so I said to the man that was with me "I want to leave quickly," so he arranged my departure for me.

As you know the war or fighting inside the country started and the government fell and people started to fight amongst themselves and the weak escaped. They would not have taken refuge at the known border stations, because the armed individuals, or assassins or mercenaries had taken them over and would kill anyone who went there. That is exactly what happened in Afghanistan. Of course, you know that people in Afghanistan kill for money. Killing had become the simplest thing.

So it became natural for me to walk and escape to Afghanistan, until I could go to the embassy there which would arrange my situation. What indicates that I am not a dangerous person, and that I have no secrets, is that I turned myself into the police without a chase or resistance or anything else. I went to them.

And then what is the relationship between my crossing the border and Al Qaeda? Is everyone who crossed the border at that time a person who is loyal to Al Qaeda? Those are words that cannot be said, for when Iraq invaded my country, Kuwait, and men and children and women were escaping to Saudi Arabia, Jordan and Iran, we did not see anyone arrest them and tell them you are followers of Saddam Hussein. Knowing that they were crossing over at the border stations secretly and without travel documents, and those countries' authorities would not arrest them but would help them and construct medical tents for them to treat them in. Under those circumstances no one asks for documents because the circumstances are not normal in that part of the world.

And then let's assume that I made a mistake in this matter, I mean in my crossing the border without identification documents. The known procedure in a situation like this in all countries in the world is to detain me until the Pakistani authorities could find out my identity and country then send me back to my country. Not to turn me over to the American authorities, as a member of Al Qaeda and the Taliban, for this is an



unbelievable thing. Knowing that they asked me for my personal information and I gave it to them at the first moment, and they said to me "We will verify this with the Kuwaiti government." So, on what basis did they turn me over to you?

This is the answer to the third point. My name is Abd Al Aziz Sayer Al Shammri, and I have no other name but this name. There is no relationship between me and any person from Al Qaeda. If a name like mine was found on a list with one of the people, then this would be a likeness in names because there are millions of Arab people that have my same name. My tribe is very large in the Gulf. My tribe is present in Kuwait, Saudi Arabia, Jordan, Syria and Iraq. The name, Abdul Aziz, and the name of the tribe is very well known and spread out. For my name, many others have it as well.

You haven't found my personal identification with that man, so you could say you placed these things with him, so this indicates a relationship between you two, other than a name similar to mine was found.

And let's assume the name found was my name. I cannot prevent any person from writing my name in anything they want because this is not under my control. For example, if Hitler wrote my name, I would not go to him, and tell him why did you write my name. As long as I don't have a relationship with him, then I am not responsible for his writing. And whomever wants to, will write whatever they want. I don't have a relationship with anyone. Also, I asked my Personal Representative, "What was the title to these names?" He said they were just names, there was no title. To this, I say, besides that list is nothing but names only nothing else and nothing is known about it. How can you say it is from Al Qaeda? And you found just names, nothing else.

That is if this list is not a fake from the interrogators, for any person can type into the computer whatever they wanted any time they wanted, then say this was found on the computer.

I have a final note. How could I be associated with Al Qaeda and I never traveled to them? Not even one time. I'm sure the Kuwaiti government gave you a list of my travel, dates and locations and not one of those travel dates or locations was to Afghanistan, or the countries that are surrounding Afghanistan. So, how can I be part of an organization when I never went and traveled and met them?

Also, you know that Al Qaeda is not a political organization, so that it would give political instructions. They are people who fight. Which means, that someone that was part of them has to go and train to learn how to fight. So, how can I be a part of them when I never went to train with them and I never went to their meetings?

Also, if I had wanted to fight against the Americans, the matter did not require me traveling to Afghanistan. The Americans are present in Kuwait. So, if I wanted to fight with them, I would have fought them in Kuwait. You saw how people are bombing Americans in Saudi Arabia. If I had any hatred on my part, I would have done that to the

Americans in Kuwait. There was no need for me to travel. If you're saying that the American is my enemy, these Americans are there in front of me. The mind does not say to leave my enemy when he is in front of me and go to another country to fight him. When that did not happen, it is proof that there is no hatred on my part towards the Americans.

This answer that I just read to you is based on the information that you presented to me. If you gave me any other information, I can answer it. I am sure that if all the interrogators in America came in and interrogated me, they cannot bring anything to me that will harm me because I am a peaceful person and I don't have anything.

I think the words I told you are sufficient, that is, if these proceedings are real and legal official proceedings, and it is not, as some say, a play or movie.

These are the words of Abd Al Aziz Sayer Al Shammeri, presented to you. You look at whatever you want to look at.

Based on the accusations and the points you have shown me, this concludes my statement. If there is something else that I do not know, if you tell me, I will clarify it.

I have one more thing to say. Some of the things I wrote down and some of the things I added today.

*The Detainee is referring to his written statement that was entered as Exhibit D-b. The Detainee read from his statement and elaborated on certain points.*

**Questions by the Tribunal President**

Q: Referencing the family affidavit, have you seen it?

A: Yes, my Personal Representative showed it to me.

Q: It identifies that you joined the Kuwaiti military in 1992. Is that true?

A: Yes.

Q: 1990 is when Iraq invaded Kuwait. Do you recall?

A: I don't remember the exact date.

Q: You recall that tragic event?

A: Of course I remember, but I forgot the date.

Q: Can you tell us how that affected you and your family?

A: My older brother, God rest his soul, was killed by the Iraqi forces. I saw the tragedy in the streets. They were killing people in the streets. Yes, I saw this. One of the students that was with me at school, they killed him in front of his mother and brothers and sisters. So, yes, of course, it affected me very much.

Q: I am sorry about the loss of your brother.

A: Thank you, very much.

Q: Is this part of the reason you joined the military in Kuwait?

A: No, a lot of people in Kuwait join the military just as a job. It pays good wages. You know that Kuwait is a country that cannot really fight. It is a very small country; it is not capable of going to war.

Q: Your father is a retired policeman?

A: Yes, he's retired.

Q: Why did you pick September of 2001 to travel to Afghanistan?

A: It's just like I told you, because of the trouble that was over there; to help. Before the events, I had gotten the offer to go to Afghanistan. It was kind of like an excuse to travel. You know that charity organizations, they only go to places where there is trouble or need. They don't go to any other countries.

The situation in Afghanistan was not dependent on the events of September. Wars had been going on in Afghanistan for 20 or 25 years.

Q: You had no opportunity prior to that to travel to Afghanistan?

A: Travel is of my own will. There is nothing really that made me travel at this moment. It was just travel.

Q: Have you traveled to other countries with the same charitable intent?

A: It was to close neighboring countries, but just to give some money to the poor or something. For example, in Kuwait, any person who is poor, the government gives them wages. In other countries, like Saudi Arabia and the United Arab Emirates, we know that there are very poor people there and the government does not help them. Sometimes you travel; you would have some money and just distribute it because you know in those places there are people who are needy. My studies were in the United Arab Emirates, so I know that situation there.



Also, I traveled to Mecca several times and saw the beggars there. People pay or give a lot of money in Mecca because they think that place is blessed.

There was no need for me to travel to far places, except for this one time.

Q: While you were in Afghanistan, did you ever have, in your possession, a weapon?

A: No.

Q: While you were in Afghanistan, did you observe violent acts against Afghans or other individuals?

A: The nature of the reason why I went there is very far from the things you are talking about.

***The Tribunal President stated that his questions were relevant for determining the Detainee's enemy combatant status. The Detainee did not understand, so the Tribunal President read the definition of enemy combatant to the Detainee. The Detainee understood.***

Okay, I didn't see any violent acts.

**Questions by the Tribunal Members**

Q: Do you speak English?

A: Little.

Q: That you've learned here?

A: In Kuwait they teach us English for about 8 years. It has now been 12 years. Being around the soldiers here helps us.

Q: How long have you been here, at the camp?

A: Almost 3 years.

Q: I want to stay on the line of questioning you heard a few minutes ago. The problem we have with a certain portion of your statement is that you indicated you chose not to carry your passport with you because you said Afghanistan was such a dangerous place. We understand that there was no government functioning there because you said it was after the fall of the Taliban. We presume, therefore, virtually everyone carried weapons or sought personal protection of some kind, yet you said you did not carry a weapon, even though you were concerned with the danger. In addition, even though Afghanistan had no functioning government,

Pakistan did. We wonder how it was that you thought you could gain entry into Pakistan with no passport?

A: Good. Please continue what you were saying.

Q: Can you please reconcile these concerns for us?

A: Yes. I didn't say I left my passport in my bag just after the fall of the Taliban; I did that all the time. One of the reasons that made me not carry my passport with me, in Afghanistan no one asks you about documentation or identification. In that particular time, I was away from the place that had my luggage and my bags. It was with the people that had taken me in. I forgot the name of the place I was in, but the Afghani man that was with me told me that the forces that were followers, part of the Northern Alliance had entered the closest city to us. They started killing any Arab they saw and captured them, even if he wasn't a combatant. You know they killed some of the women as well. And you know that women in Islam are not killed; they don't fight or participate in the fighting. So, when I hear something like that, I don't think of going back and getting my passport, I just think of my life.

Like I told you, I thought if I went to Pakistan, they would detain me for a while until they found out my country and then return me to my country. I didn't think they would tell me "Since you don't have identification or a passport, that means you're a follower of Usama Bin Laden." I have never heard of this before, if you don't have a passport, you are a follower of Usama Bin Laden.

Like I told you, all they had to do was find out my identity and return me to my country. Even if it's true that I made a mistake, this doesn't have anything to do with America. This is a problem between me and the government of Pakistan. I don't know what America has to do with me crossing the border with no identification. That is in addition to the things I said before. It ties to it.

Q: I'm sure that one of the major concerns surrounds your name being found on a computer hard drive, or so the U.S. Government says. We understood what you said during your statement, that perhaps the U.S. Government could have planted that document there, but there must be a more reasonable reason those names appeared on the hard drive. Is there anything else you would like to say to address that concern?

A: First, when the Pakistanis turned me over, they did not turn me over because my name was found on that list, because that list you are talking about, they only told me about it a few months ago in interrogation. They captured me 3 years ago; before you captured this person you are talking about. So, you didn't even capture me because of this list. My name was not on the international Interpol list for them to turn me over to you.

In that sense, from the beginning the Pakistani government was wrong; it was illegal for them to turn me over to you.

I will give you an example. Let's say any country in the world put my name on a list of people who are not allowed to enter that country. Are you going to come and ask me why this country put my name on their list? Or, will you go to that country and ask them why they put my name on their list? I don't have anything to do with this. This is not something I am responsible for. If Bin Laden, himself, had written my name, is this considered a crime that I committed? Your duty is, first of all, to ask Bin Laden, and second, you have to look at are the words of Bin Laden the truth? Let's say that you called him and he said I knew this person in China and his name is so and so. Are you automatically going to detain that person or will you look for that man? Are you going to see if he had any meetings with Bin Laden? Did he meet with any people that met with Bin Laden? You have to see if the words Bin Laden said are the truth. It doesn't mean that any name you find with Bin Laden you go and catch all those people. This is not my mistake or my fault that this man wrote my name.

Right now, if you wrote my name, I don't have the ability to come and take the piece of paper and rip it up. How can you fault me for the actions of others?

Those are my words and I hope they are good.

- Q: As I understand your statement and the information provided by your family, you are considered to be an educated man in Kuwait?
- A: Thank you.
- Q: You are, in fact, a lawyer, aren't you?
- A: No, in my studies I study some things, but I am not a lawyer. If I wanted to be a lawyer, my degree would enable me to work as a lawyer.
- Q: You do have a degree in Islamic law, do you not?
- A: That's what brought me here to this prison, this degree.
- Q: That's unfortunate.
- A: God willing, when I get out of here I won't study any of this Islamic law. I'll just raise sheep or cattle and live in the desert.
- Q: In your statement, you claim to be quite well informed of world events and history?

- A: I don't live in the desert. I live in a city that has television and radio.
- Q: At the time you made your decision to travel to Afghanistan, you were well aware of the civil war there?
- A: Yes.
- Q: And, you knew that it had been going on for quite some time?
- A: Yes.
- Q: You were not concerned for your personal safety?
- A: I told you, when Iraq invaded Kuwait the fighting between these forces was only occurring on the front lines. You saw, in Europe, there was a war there in the days of Hitler, Italy, the fighting was on the battlegrounds or front lines, but in the cities, the people were living their normal lives.
- The markets were functioning. The places of worship, mosques and churches, were functioning. The hospitals were functioning. Men would marry women and they would start new families. Life was going on; it would not be interrupted except on the battleground or places where there was fighting.
- The danger is if the fighting was in the streets. In that case, the people would be scared and all aspects of life would be interrupted. I didn't think the situation would be that way in Afghanistan. I thought the lines where the fighting was, the fighting, the government would fall and that would be it.
- I also did not realize or think that the government of Afghanistan would fall in the blink of an eye. Everyone there thought the war would go on for a very long time. I was just traveling there for a very short time and then would return. When I went there, I didn't think the situation would explode like that.
- Q: On September 11, 2001 were you still in Kuwait?
- A: Yes.
- Q: According to information your family provided, it says you went to Pakistan on October 15, 2001. Is that close to being accurate?
- A: I think it is close to the date, but I don't remember exactly.
- Q: Is the October time frame reasonable?

A: Approximately.

Q: By that time, a reasonable person could infer that the conflict in Afghanistan was about to widen substantially.

A: Quite the opposite. It wasn't like that. I think maybe your watching the news was very little at that time. The Americans were saying at the time that this war would take a long time. They were saying that the Taliban fighters were very ferocious in their fighting. That is what they were saying in the news. They weren't saying their enemy was weak and they were going to finish this in moments. Maybe the news in your country was something political and they wanted to gain something political from it. We, the simple people, take in the news as we hear it and that's what we heard.

Q: When you were in Afghanistan, I know you said you didn't remember the town you left your valuables in, but can you tell us a little bit about what you did before things turned bad?

A: First of all, why did I forget the name of the place? The names of these places were in a language that was not my own. It was for the first time I was hearing the names of these places. My work, the charity work, is always in villages, so it wasn't very useful to me or it didn't mean much to memorize the names of these villages. That is the reason I forgot the name.

After this Afghan man took me in and I stayed with him, by the way, I just want to make you aware that this Afghani man spoke Arabic. He was the middleman between me and the people I was going to teach. I would teach in Arabic and he would translate it into Afghan. With the Koran, you have to teach it in Arabic. We don't have any translations; it has to be read in Arabic.

So, I was moving around between different mosques and every so often I would stay with different people with this Afghani man that had offered me this opportunity. I would teach them whatever was related to that certain period of time. For example, teaching them how to pray and to read short passages. They can't pray without those passages. I would teach them things that were not disputed between Muslims.

I moved around from place to place for a short while and then everything went bad. Then, the phase of trying to escape began.

Q: I know it may be difficult, but can you estimate how long that was? A couple days or weeks?



A: I swear to God it's difficult because I went through difficult situations at that time. These periods of time are very far away right now. It wasn't long, but I just can't remember exactly.

Q: You were on vacation from your job?

A: By God I remember that I did take a vacation, but I don't remember if it was a medical leave. I don't remember exactly, but I know there was something. Just keep in mind that when I was here, I stopped eating and drinking for about 100 days, so I have forgotten a lot of things. The details, I cannot remember. You can take that information from my interrogation files. I'm sure that I gave it to them [interrogators] in the beginning.

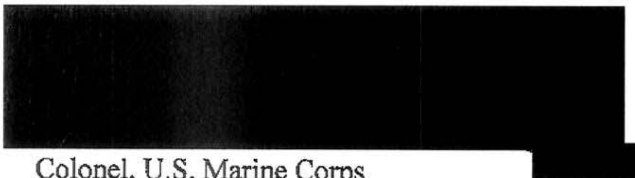
***The Detainee made the following final statement:***

I hope that you really are fair in this Tribunal and that you do not punish me for things that other people have done. If I made a mistake, and you want to punish me for that, I don't have a problem with that because it was something that I did. Don't place other people's mistakes on me.

***The Detainee asked to speak with his Personal Representative following the Unclassified portion of the Tribunal and the Tribunal President allowed this, as long as the Personal Representative's schedule allows it.***

**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

11

الحمد لله الذي لا اله الا هو ، والصلاة والسلام على سيدنا محمد خاتم  
الأنبياء والرسل  
أما بعد :

بالنسبة لرددي على اتهاماتي بأني عضو في جماعة القاعدة ، فإني أقول : إن هذا الاتهام  
ليس له أي شيء يستند عليه ، بل هو مجرد كلام ليس عليه دليل يدل عليه ، كان  
يكون وجد معي وصولاً ماليه تفيد أنني قدمت زعم مالي للقاعدة ، أو يكون القى  
القبض علي في مكان خاص بجماعة القاعدة ، أو شهودات وأنا أحضر اجتماعاتهم ، أو  
عرف بأني على علاقة قوية بأسماء ابن لادن ، فإني دليل لست إلى القاعدة ،  
ولم يحصل أي شيء من هذا .

أولاً : ما علاقة السفر إلى أفغانستان بالقاعدة ، وكيف يجعل السفر إلى بلد كبير  
فيه ملايين الناس هو سفر إلى القاعدة التي لا تمثل بالنسبة لذلك العدد نسبة  
1% ، فهل يعتبر من سافر إلى الصين مسيحي ؟ ، وهل يعتبر من سافر إلى العراق  
تابع لحزب البعث ؟

أما كوني سافرت من بلدي الكويت بعد أحداث سبتمبر فهذا أمر طبيعي  
جداً ، فإن هذه الأحداث حصلت في أمريكا ، فالأطباء والجزائريين لم يكن موجود  
إلا في أمريكا ، وأما باقي دول العالم فإن الإصراع كانت طبيعية ، والناس كانوا  
يمارسون حياتهم الروتينية ، فلا يوجد أي غرابه في سفري .

ثم إنني توقفت على رجل أفغاني في إحدى سفراتي إلى العمرة ( اسمه محمد وهو مقيم  
في إيران ، فغرض علي السفر إلى أفغانستان لتدريس القرآن واللغة العربية طوعاً هذا  
بعد ما عرفت أنني درست العلوم الإسلامية لمدة أربع سنوات في جامعة الإمام محمد بن  
سعود الإسلامية وتخرجت بدرجة جيد جداً ببارق قليل عن الإمتياز - وأنا لا أذكر  
تاريخ تعرفي عليه لاني نسيت الآن - وكان هذا الرجل أعطاني رقم هاتفه وقال لي  
إذا أردت أن تحجيب الدعوة فاتصل علي هاتفك وأنا أرتب كل شيء لك .

ثم رجعت إلى الكويت ، وبعد فترة من الزمن عندما حصلت الاضطرابات في  
أفغانستان قررت إجابة الدعوة في التدريس بالإنصاف إلى مساعدة بعض المحتاجين ، بعد  
تحويل أهلي لي بعض الأموال ، هكذا كانت الفكرة ، خصوصاً بعدما شاهدت في التلفاز  
حاجة الناس ، وهذا أمر غير مستغرب لأن عمل الإمامة لا يكون إلا بعد حصول الكوارث  
والاضطرابات ، وأسافي حال السلم والأمان والرخاء ، فلا أحد يحتاج إلى إمامته ، وللعلم  
إن أفغانستان لم تقف فيها الحرب منذ سنوات طويلة فلا يوجد فرق بين ما قبل سبتمبر  
أو بعده ، وكنت أظن أن الحرب ستكون في أماكن القتال ، وأن القتال لن يصل إلى المدن  
والقرى ، أو ستكون هناك محاولة إغتيال لأشخاص معينين أو اختطاف لهم كما حصل  
لرئيس بنما وسيقف الأمر عند هذا الحد .

Exhibit D-b

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وكنيت اظن ان سفري سوف يكون عن طريق إيران ثم باكستان - وهذا ما أخبرني به عائلتي - لأنني أعرف أن العلاقة بين إيران وأفغانستان سيئة ، ولكن عند إتصالي بهذا الرجل الأفغاني محمد ، قال لي : أن بإمكاننا الدخول إلى أفغانستان عن طريق إيران فإن النقطة الحدودية التي بينهما تعمل ، نظمت إذا لا توجد حاجة للسفر إلى باكستان خصوصاً أنه يحتاج إلى فيزة أخرى .

وكنيت أنوي أن اجلس فترة قصيرة ثم أرجع ، وهناك عدة أدلة على هذا ، منها أني كنت أرسلت شهادتي الثانوية والجامعية إلى جمهورية مصر العربية حتى أكمل دراسة الماجستير في العلوم الإسلامية ، وقد دفعت رسوم التسجيل ، وكنيت أنتظر الإجابة على طلبي ، وكانت هذه المراسلة قبل سفري بأشهر قليلة ، وهي عن طريق وزارة التعليم العالي بدولة الكويت ، وهي مؤسسة حكومية . ولم يخلق ملفي إلا بعد سجنني . ثم أيضاً كنت قدمت أوراقى حتى أحسن وصفي الوظيفي من مدرس بدار القرآن التابعة لوزارة الأوقاف والشؤون الإسلامية ، إلى مدرس في المعاهد التطبيقية بعد إتصالي من قبل الحكومة حتى أحصل على شهادة الدكتوراة وهذه المعاهد تعطي شهادة لكل من الثانوي وأقل من البكالوريوس وطبعاً هذا لم يحصل لأنني سجننت ، فكيف أكون سافرت حتى التحقق بالقاعدة ، وأنا لأعمل كل هذه الترتيبات .

وللغلم أن سفري كان عن طريق المنافذ الرسمية وبوثائق سفر حكومية ولم يكن موجود في جواز سفري الكويتي أي شيء يدل على عدم جواز السفر إلى أفغانستان ، فإن كان يوجد مع فالخطأ على حكومتي التي لم تخبرني بهذا المسع . بل كنت في حوازي " هذا الجواز صالح للسفر لجميع دول العالم مالم يذكر خلاف ذلك " ولم يذكروا أفغانستان .

ثانياً : بعد سقوط طالبان ، طُلب أي عربي في أفغانستان حياً أو ميتاً ، بغض النظر هل هو مقاتل أو لا ، لأنهم كما سمعت أصبحوا يشترون العرب ويبيعونهم فخفت عند سماع هذه الأخبار ففكرت للهرب بسرعة ، وكما هو معلوم لديكم أن المسافرين في أغلب الأوقات لا يحمل جواز سفره معه بل يتركه مع أماناته وحقائقه ، خصوصاً في بلد كأفغانستان ، لأنه لا يوجد أحد يسأل أحداً عن إقامته ، لذلك لم يكن باستطاعتي الرجوع إلى حقائبي ، لأن الأحداث بدأت تتطور تطور سريع جداً وخطير ، فقلت للرجل الذي معي أريد أن أخرج بسرعة فرتب لي خروجي ، وكما تعلمون أن العرب إذا بدأت وسقطت الحكومة وبدأ الناس يتقاتلون فيما بينهم وهرن الضعفاء ، فإنهم لا يلجأون إلى المراكز الحدودية المعروفة ، لأنهم يعرفون أن المسلحون سيطروا عليها وسيقتلون من يأتيتهم ، وهذا بالضبط ما حصل في أفغانستان ، فقد أصبح القتل أسط شئ .

كذلك كان من الطبيعي أن ألجأ إلى باكستان ماشياً على الأقدام ، حتى أذهب إلى السفارة هناك فترقب أوضاعي ، ومما يدل على أنني إنسان غير خطير ، وليس عندي أي أسرار ، أنني سلمت نفسي إلى الشرطة من غير مطاردة أو مقاومة أو مني آخر . ثم ما علاقة تجاوزي للحدود بالقاعدة ، هل كل من تجاوز الحدود في ذلك الوقت فهو شخص ينتمي للقاعدة ، هذا كلام لا يقال ، فإن العراق حين إحتل بلدي الكويت ، وهرس ~~الرجال~~ الرجال والشباب والنساء إلى السعودية والاردن وإيران لم نرى أحداً يقبض عليهم ويقول أنتم تتبعون صدام حسين . مع العلم أنهم كانوا يتسللون خفية عند قطع الحدود ومن غير وثائق سفر ، ولم تقبض عليهم سلطات تلك البلاد بل كانت تساعدهم وتقبل لهم صميمات طبية ~~تطعيم~~ تعالجهم فيها ، فإنه في تلك الظروف لا أحد يسأل عن الوثائق لأن الظروف غير عادية في تلك البقعة من الأرض .

ثم لنفترض فرضاً أنني أخطأت في هذا الأمر - أقصد في تجاوزي للحدود من غير وثائق - فإن الإجراء المعروف في مثل هذه الحالة في جميع دول العالم ، أنه يتم إمتحالي حتى تتعرف السلطات الباكستانية على هويتي وبلدي ثم ترسلني إلى بلدي لأن تسلمني إلى السلطات الأمريكية ، على أنني فرد من أفراد القاعدة أو طالبان ، فإن هذا شيء غير محقول ، مع العلم بأنهم سألوني عن بياناتي الشخصية وأعطيتها لهم من أول لحظة ، وقالوا لي سنأكد منها من حكومة الكويت ، فعلى أي شيء سلموني لكم .

ثالثاً : أنا اسمي عبد العزيز ساير الشمري ، ولا يوجد لي أي اسم غير هذا الاسم ، ولا يوجد لي أي علاقة بأي شخص من القاعدة ، ولما إذا وجد اسم مثل اسمي على جدول عند أحد الأشخاص ، فهذا قد يكون تشابه في الأسماء لأنه يوجد ملايين الأشخاص العرب يحملون نفس اسمي ، فإن اسمي تكثر التسمية به ، ثم أنتم لم تحذروا إبتاتاق الشخصية عنده حتى تقولوا أنت وضعت هذه الأشياء عنده فهذا يدل على علاقة بينكما ، غاية ما وجد اسم يشبه اسمي .

ثم لنفترض أن الاسم المكتوب اسمي خطأ لا أستطيع أن أضع أي شخص من كتابة اسمي في أي شيء يريد لأن هذا ليس باستطاعتي ، فلي سبيل المثال لو أن هتلر كتب اسمي فأنا لن أذهب إليه وأقول له لماذا كتبت اسمي ، طالما أنا ليس لي علاقة به فأنا غير مسؤول عن كتابته . وليكن من شاء ما شاء ، ليس لي علاقة بأحد ، ثم إن هذا الجدول ماهو إلا مجرد أسماء فقط لا غير لا يبرق أي شيء عنها ، وكيف تقولون أنها من القاعدة .

هذا إذا لم تكن هذه القافة تزوير من قبل المحققين ، فإن أي إنسان يستطيع أن يطبع في الكمبيوتر ما شاء في أي وقت شاء ، ثم يقول وجدت هذا في الكمبيوتر هذا وصلى الله وسلم على نبينا محمد .

ملاحظة : كيف أنسب إلى القاعدة ولم أسافر لهم ولولمة واحدة ، ولم أشارك في اجتماعاتهم ولقاءاتهم . ثم لو كنت أريد أن أقاتل ضد الأمريكان لما إبتاح الأمر لسوري إلى أفغانستان لأن الأمريكان موجودون في الكويت عندي فلماذا أرتقت قتلهم لقاتلتهم في الكويت ولوزن أموال التي سافرت فيها ولكن لما لم يحصل هذا دل على عدم وجود أي عداة عندي للأمريكان .

كتبه : عبد العزيز ساير الشمري

في ١٩/٢٨/٢٠٠٤ م

In the name of God, most Gracious, most Merciful

Thanks to Allah who there is no God but him, and prayers and peace be upon our prophet Mohammed, the last of the prophets and messengers.

Here now:

Regarding my answer to the accusation that I am a member of Al Qaeda, so I say: That this accusation does not have anything to support it, but it is merely words with no evidence to prove it, as if monetary receipts were found on me to indicate that I had given financial support to Al Qaeda, or that I was arrested in a place specific to Al Qaeda, or that I was seen attending their meetings, or that it was found that I have a strong relationship with Usama Bin Laden, so on what grounds have I been associated with Al Qaeda, when none of these things have happened.

First:

What is the relationship between traveling to Afghanistan and Al Qaeda, and how can it be that travel to a large country with millions of people is travel for Al Qaeda which does not represent 1% of that number, for is a person who traveled to China considered a communist? And is a person who traveled to Iraq considered loyal to the Baath Party? As for the fact that I traveled from my country, Kuwait, after the events of September, this is a very natural thing, for these events occurred in America, so the chaos and confusion was not present anywhere but America, but as for the rest of the countries in the world the situation was normal, and people were going about their routine lives, so there was nothing strange about my trip.

Also I had met an Afghani man on one of my trips to the "Omra" whose name was Mohamed and he lives in Iran, so he proposed to me to travel to Afghanistan to teach the Quran and the Arabic language and Islamic studies. Of course this is after he learned that I studied Islamic Studies for 4 years at the Imam Mohamed Bin Saud Islamic University and I had graduated with a "Very Good" just a few marks away from "Excellent"-and I don't recall the date I met him because I have forgotten at this time-and this man gave me his phone number and said to me: If you wish to accept my offer, then call me on my phone and I will arrange everything.

Then I returned to Kuwait and after a period of time when the problems happened in Afghanistan I decided to accept the offer to teach in addition to helping some of the needy, after my family had transferred some money to me, that was the idea, especially after I had seen on television the need of the people, and that is not a peculiar thing because rescue work does not happen unless it is after a disaster or problem, whereas in times of peace and security and prosperity, no one needs rescuing, and for your knowledge war in Afghanistan had not stopped for many long years so there was no difference between before September or after, and I had thought that the war would be on the battlegrounds and that the fighting would not reach the cities and villages, or that there would be an assassination attempt on certain individuals or their kidnapping as it had happened to the president of Panama and that the matter would end at that.

And I thought my trip would be via Iran, then Pakistan-and that is what I told my family-because I knew that the relationship between Iran and Afghanistan was bad, but after



calling that Afghani man Mohamed he said to me: It is possible for us to enter Afghanistan via Iran, for the border crossing point between them is operating, so I said: Then there is no need to travel to Pakistan, particularly since it requires another Visa. And I had intended to stay for a short period then return, and there are several facts that support that, including that I had sent my High school and University diplomas to the Arab Republic of Egypt so as to continue my studies towards my Masters in Islamic Studies, and I had paid my registration dues, and I was waiting for an answer to my application, and this was done through the Ministry of Higher Education in the country of Kuwait, and it is a Government organization. And my application was not closed until after my imprisonment. Then I also presented my paperwork in order to improve my position at work from a teacher at Dar Al Quran, which is a part of the Ministry of Islamic Affairs and Charity, to a teacher at the Institute of Applications after I was sent by the government to obtain a Doctorate Degree and those institutes award diplomas higher than High School and lower than a Bachelors and of course that did not happen because I was imprisoned, so how could I have traveled to meet with Al Qaeda, when I had made all those arrangements? And for your knowledge my trip was via official channels and with government issued travel documents and there was nothing in my Kuwaiti passport to indicate that it was forbidden to travel to Afghanistan, for if there was a restriction, then the mistake is on my government's part that did not tell me of this restriction. But it was written in my passport that "This passport is valid for travel to all countries in the world unless it is otherwise mentioned" and they did not mention Afghanistan.

Second:

After the fall of the Taliban, every Arab in Afghanistan was wanted dead or alive, whether or not he was a combatant in the first place, because as I heard they had started buying Arabs and selling them, so I became afraid at hearing this news so I decided to escape quickly, and as it is known by you that the traveler most of the time does not carry his passport with him but leaves it with his valuables and luggage, especially in a country like Afghanistan, because no one asks anyone about their identification in Afghanistan, that's why I could not return to my luggage because the events had started to evolve a very fast and dangerous evolution, so I said to the man that was with me I want to leave quickly so he arranged my departure for me and as you know had the war started and the government fell and people started to fight amongst themselves and the weak escaped, they would not have taken refuge at the known border stations, as they know that armed individuals had taken over them and would kill anyone who went there, and that is exactly what happened in Afghanistan, for killing had become the simplest thing. So it became natural for me to escape to Afghanistan walking, until I could go to the embassy there which would arrange my situation, and what indicates that I am not a dangerous person, and that I have no secrets, is that I turned myself in to the police without a chase or resistance or anything else.

And then what is the relationship between my crossing the border and Al Qaeda, is everyone who crossed the border and that time a person who is loyal to Al Qaeda, those are words that cannot be said, for when Iraq invaded my country Kuwait, and men and

children and women were escaping to Saudi Arabia and Jordan and Iran we did not see anyone arrest them and tell them you are followers of Saddam Hussein.

Knowing that they were crossing over at the border stations secretly and without travel documents, and those countries' authorities would not arrest them but would help them and construct medical tents for them to treat them in, for under those circumstances no one asks for documents because the circumstances are not normal in that part of the world.

And then lets assume the assumption that I made a mistake in this matter-I mean in my crossing the border without identification documents- the known procedure in a situation like this in all countries in the world, is to detain me until the Pakistani Authorities find out my identity and country then send me back to my country not to turn me over to the American Authorities, as a member of Al Qaeda and the Taliban, for this is an unbelievable thing, knowing that they asked me for my personal information and I gave it to them at the first moment, and they said to me we will verify this with the Kuwaiti government so on what basis did they turn me over to you.

Third:

My name is Abd Al Aziz Sayer Al Shammri, and I have no other name but this name, and there is no relationship between me and any person from Al Qaeda, and if a name like mine was found on a list with one of the people, then this would be a likeness in names because there are millions of Arab people that have my same name for my name many others have it as well. And then you haven't found my personal identification with him so you could say you placed these things with him so this indicates a relationship between you two, other than a name similar to mine was found.

And lets assume the name found was my name, well I cannot prevent any person from writing my name in anything they want because that is not under my control, so for example if Hitler wrote my name, I would not go to him, and tell him why did you write my name, as long as I don't have a relationship with him then I am not responsible for his writing. And whoever wants to will write whatever they want I don't have a relationship with anyone, besides that list is nothing but names only nothing else and nothing is known about it, so how can you say it is from Al Qaeda.

That is if this list is not a fake from the interrogators, for any person can type into the computer whatever they wanted any time they wanted, then say this was found on the computer.

And with this, prayers and peace from Allah be upon our prophet Mohammed.

Note: How could I be associated with Al Qaeda and I never traveled to them not even one time, and I did not participate in their meetings and gatherings.

Also if I wanted to fight against the Americans, the matter did not require me travelling to Afghanistan because The Americans are present in Kuwait with me, so if I wanted to fight them, I would have fought them in Kuwait and saved my money that used to travel but since that didn't happen, it is proof that there was no hatred on my part towards the Americans.

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