

*The Detainee was sworn.*

**Summarized Sworn Detainee Statement**

I agreed with the Personal Representative that he will read the points to me and then I will discuss them.

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

That's not true.

- **3(a)1 The Detainee traveled from Yemen to Afghanistan in March, 2001.**

Correct.

- **3(a)2 The Detainee went to Afghanistan to join the Taliban.**

Incorrect. Not true.

- **3(a)3 The Detainee stayed at a Taliban house while in Quetta, Pakistan.**

I did not stay there. I was just passing through and I was there for only 15 minutes.

Personal Representative: I'd like to go back to point 2 to ask a question. Why did you go to Afghanistan?

Detainee: I went to Afghanistan to get married. Whoever took me out of Yemen promised me that I'd be able to get married in Afghanistan. He may have had different intentions for me other than the marriage, but I didn't know. I think what I was told was exaggerated and not the truth. I never joined or associated with the Taliban.

Personal Representative: Going back to point 3, how long did you stay at the house in Quetta?

Detainee: 15 minutes.

Personal Representative: Did you ever enter the house in Quetta, Pakistan?

Detainee: I sat outside the house. It was a huge house. From there I went to Afghanistan.

Personal Representative: How many nights did you spend at the house?

Detainee: 15 minutes.

- **3(a)4 The Detainee was reportedly trained on the PK machine gun and the 82mm mortar.**

When you say trained, this is a huge word that means a lot of things. My intention was not to get trained to get ready for something. I was there for 7 days, wasting some time. I just moved the mortar left and right; I never had any training on it.

If my intention was to get trained, there were so many weapons there, I could have trained on any of them. My intention was not to get trained.

- **3(a)5 The Detainee was captured with a model F-91W Casio watch.**

I did not know that watch was for the terrorists. I saw a lot of American people wearing the same watch. Does that mean we're all terrorists?

Personal Representative: How much does that watch cost, in American dollars?

Detainee: Five or six dollars.

- **3(a)6 The Casio watch, model F-91W has been used in bombings that have been linked to Al Qaeda and radical Islamic terrorist improvised explosive devices.**

I didn't know that. If that was the case, why didn't they ban it from the market?

- **3(b) The Detainee participated in military operations against the United States and its coalition partners.**

That's not true.

- **3(b)1 The Detainee was on the front lines fighting in Afghanistan during the bombing campaign.**

What do you mean by the front lines? I'd like to tell you the whole story.

There is somebody by Hamid Massoud who was against the Taliban. The Arabs killed him because they were threatened in Kabul. They were being assassinated to avenge Hamid Massoud. Either the Arab goes back to his hometown, goes to the front line, or he goes to the second line, which is about 20 km behind the front line, which is a safer place. I had no intention of going back to my country.

I never fought with the Taliban, so they couldn't send me to the front line. There was only one other alternative for me and that was to go to the second line.

I stayed there for 12 days. They were bombing the front lines, but not where I was staying.

The interrogator built on all of these statements...that I fought against the United States and it's allies and I was in the front line during the bombing.

- **3(b)2 The Detainee was captured in Pakistan.**

Of course, that's where I was.

**Tribunal Members Questions to Detainee**

Q: You mentioned your original intent was to go to Afghanistan to find a wife?

A: That's what the guy had promised me.

Q: Did you already have a wife at the time, or would this have been your first wife?

A: First wife.

Q: Why would you want to go all the way to Afghanistan to find a wife, if you could find one in your home country?

A: Because of poverty. They say that you can go to certain countries and they'll give you a house, even though it's an old house, and some financial assistance to get married. That's without having to contribute anything at all. It's a charity type of thing from these people. If you put yourself in my shoes, what would you do?

Q: So, they told you that the Afghanistan government, the Taliban, would give you all these things if you went there?

A: That's what the man told me. I want to extend my apologies for coughing. I'm coughing because I'm fasting.

Q: We understand. Regarding this house in Quetta, you never went in? You were just outside?

A: Yes.

Q: How did you know it was a Taliban house if you were not associated with the Taliban?

- A: The guy in Yemen told me where to go.
- Q: Did you have somewhere else to stay if you chose not to stay there?
- A: I don't know, but I was told that was the way to go there.
- Q: What I meant was, if you didn't stay at that house, was there somewhere else you could stay?
- A: No, there wasn't.
- Q: Then where did you stay in Quetta?
- A: I went to the Taliban house in Quetta, but I never stayed there. I found four Afghani people who were going to Afghanistan and I just went with them. I didn't stay there at all.
- Q: You said you were training or familiarizing yourself with the machine gun and the mortar for 7 days?
- A: I didn't go to the second line to get trained. I was so bored and that's why I picked up these [weapons]. I was just fooling around with these [weapons] and trying to kill time.
- Q: You didn't go to a camp or anything like that?
- A: No, I did not.
- Q: Was there someone on the second line who taught you about these weapons?
- A: There was a Pakistani individual that was showing me how to use the PK.
- Q: The Casio watch, was this something you were given when you were at the second line?
- A: No.
- Q: How did you come to possess that watch?
- A: There was a guy by the name Ahmed who bought it for me. I didn't have a watch in the beginning. It wasn't like a present and it wasn't anything I could use on the front line. The watch is so inexpensive. If somebody is going to give you a present, he'd give you a very expensive watch.

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Q: Did he provide watches to other people or just to you, do you know?

A: Only for me.

Q: Were you injured at any time during the conflict?

A: I never went to the battlefield and I was not injured.

Q: After the war got intense, you left Afghanistan and went to Pakistan?

A: I did not leave because the battle got heated up. Since I was on the second line, there was no reason for me to stay, so I just wanted to leave because it was no longer safe.

Q: Could you explain the circumstances of how you were captured?

A: I was in the mountains close to Pakistan and I stayed there for a little while. I saw some people walking to Pakistan and just joined them and walked with them. My intention was not to escape; I did not fight the Pakistanis, I just turned myself over to them so they'd send me to my embassy.

Q: Were you with a group of people or just by yourself in route to Pakistan?

A: With a group of people.

Q: Did you have your passport with you?

A: No.

Q: What happened to it?

A: My passport was in my jacket on the second line because when we left the area, I left my jacket with all of my stuff in it. In that situation, you don't think about going back to get them.

Q: I thought you said there was no real urgency; you left because you were bored.

A: We left the area in a hurry.

Q: If the war was not becoming more intense, why did you leave in a hurry?

A: The front line got defeated somehow and the fighters were advancing toward the second line. That's why we were in a hurry.

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- Q: When you were crossing into Pakistan, did anyone in your group have weapons with you?
- A: No.
- Q: Did you have any money with you?
- A: I didn't have any money.
- Q: When you turned yourself into the Pakistanis, you had no money, no passport and no weapons?
- A: I didn't have anything except my watch.
- Q: They put you in jail because you had no identification?
- A: I don't think so.
- Q: Did they say why they put you in jail?
- A: They didn't explain anything to me.
- Q: So, they took you to jail and that was that?
- A: I talked to them and they said they were going to bring the Yemeni embassy to us, but they were a bunch of liars.
- Q: So, no Yemeni embassy people came to see you?
- A: Nobody came to see me.
- Q: So, you went from the Pakistan jail and then you were given to the Americans?
- A: Yes.
- Q: How long have you been here?
- A: Three years.
- Q: You arrived in Afghanistan in March of 2001. When did you surrender in Pakistan?
- A: I don't recall, but I was in Afghanistan for nine months.
- Q: When you left Yemen for Afghanistan, how long were you planning on staying?

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- A: That depended on how fast I could get a wife. I would go back as soon as I accomplished that goal.
- Q: What form of transportation did you use from Yemen to Afghanistan?
- A: An airline.
- Q: How much was the ticket?
- A: I don't recall. The guy who talked to me about going to Afghanistan is the guy that gave me the ticket.
- Q: Did you pay him for the ticket?
- A: No, I didn't pay him any money.
- Q: Did you bring money with you to Afghanistan?
- A: He gave me only \$100.00
- Q: The guy gave you \$100.00?
- A: The guy who sent me to get married.
- Q: That's all the money you had?
- A: Only \$100.00
- Q: How were you going to make money in Afghanistan if you didn't find a wife pretty quickly?
- A: I went there according to a promise that was made to me. If I had money, why would I want to go to Afghanistan?
- Q: While in Afghanistan you had \$100.00 and if it took longer than 2 weeks to find a wife, how would you pay for a hotel or food?
- A: I lived in Kabul with someone in a house. All of the food and everything was provided by the house. I didn't have to worry about money for food or board.
- Q: How long were you in that house?
- A: About 7 months.

**Tribunal President's Questions to Detainee**

Q: What was the name of the man that funded your trip to Afghanistan to get a wife?

A: Abu Khuloud.

Q: Where did the training, playing and practicing with the PK machine gun and the mortar take place?

A: On the second line.

Q: Were you issued a weapon of any kind?

A: No, I wasn't.

Q: So, you were on the second line, about 20 km behind the front line without a weapon?

A: I was not on the battlefield. I went there for safety reasons. If I wanted to go to the battlefield, I would have gone to the front line.

Q: Who instructed you to go to the second line?

A: The man I was staying with.

Q: You were staying with him, and he said let's go to the northern region, or wherever this second line was?

A: It was obvious to everyone you either go to that location, this location or the third location.

Q: Or go home. Was that option still open to you?

A: From the first day I arrived, I wanted to go back, but I didn't have any money.

Q: You were not successful in finding a wife either. Is that correct?

A: That's true.

Q: So, Abu Khuloud lied to you?

A: Yes, he lied and exaggerated.

Q: Did you think of how you might be able to get back to Yemen?

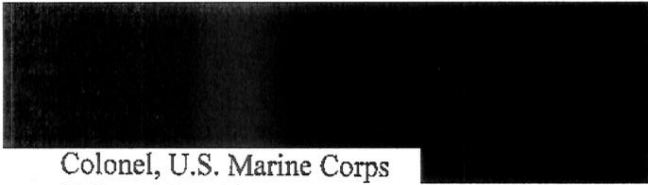


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- A: I talked with the person I stayed with in Kabul and he told me that when God was willing he'd give me some money so I could leave. It was very hard because I didn't have any money.
- Q: What was his name?
- A: Hamza Al Qaety.
- Q: Do you know if he was associated with the Taliban or Al Qaeda?
- A: I just know he went to Afghanistan previously. What do you mean?
- Q: Your host, Hamza.
- A: I used to see him go to the front lines with the Taliban, but I think it was a religious matter. You go there freely; you are not forced to go fight people you don't want to fight with. You need to understand that completely.

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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