

Summarized Unsworn Detainee Statement

The Tribunal President read the Hearing Instructions to the Detainee. The Detainee confirmed that he understood the process and had no questions.

The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.

The Recorder presented Exhibits R-2 and R-3 into evidence and gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).

The Tribunal President opened the session to the Detainee to make his statement and informed him that he would have the assistance of the Personal Representative in doing so.

The Tribunal President asked the Detainee if he wished to present information or make a statement and if so, did if he wished to make his statement under oath.

Detainee: I don't have anything, but what I have I told to the Personal Representative already.

Tribunal President: We may have some questions later, would you like to take an oath and any statement that you make later would be under oath?

Detainee: There is no problem. I will take it.

The Recorder administered the Muslim oath to the Detainee.

Tribunal President: You may begin.

Personal Representative: Yes ma'am. Yasim and I met on 4 November for about 40 minutes approximately. We reviewed the Unclassified Summary of Evidence and based on our meeting I would like to recap the replies that Yasim has given. Like we spoke about, I'll go over the individual items. After I present to you the essence of our conversation, he will certainly have the opportunity to add anything he would like. Regarding the evidence Exhibit R-1...

3.a.1. The Detainee admitted that he traveled to Afghanistan in March 2001 for the jihad.

Detainee: Yes I did go to Afghanistan for the jihad. I went there to make money to get a salary as a jihadist (ph).

3.a.2. The Detainee stayed at a Taliban safe house in Quetta, Pakistan during his travel to Afghanistan.

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Detainee: I did stay at the Taliban safe house in Pakistan.

3.a.3. The Detainee stayed at Taliban safe houses in Kandahar, Afghanistan.

Detainee: I did stay at the Taliban safe house in Kandahar.

3.a.4. In April 2001, Usama bin Ladin spoke at one of the Taliban safe houses while the Detainee was in residence.

Detainee: I was at the house when Usama bin Ladin spoke.

3.a.5. The Detainee trained at al Farouq training camp.

Detainee: Yes I did train at al Farouq training camp.

3.a.6. The Detainee received training on the Kalashnikov, Pakistan machine gun, explosives, and the rocket propelled grenade (RPG) at the al Farouq camp.

Detainee: Yes, I trained on the Kalashnikov. I didn't train on the machine gun, explosives, or the rocket propelled grenades.

3.a.7. Usama Bin Ladin spoke at the al Farouq camp while the Detainee was in training.

Detainee: I was at the al Farouq camp when Usama Bin Ladin spoke.

3.a.8. The Detainee was at a Taliban house in Kabul, Afghanistan when the U.S. bombing campaign began.

Detainee: I was at the house in Kabul when U.S. bombing campaign began. It was not a Taliban safe house. It was Usama Bin Ladin's private house and there was another house that is for one of the Taliban commanders. It was a house for one of the commanders of Usama Bin Ladin's followers. That person is now in prison in Yemen.

3.b.1. The Detainee fought on the front lines in Taloqan after his training at al Farouq.

Detainee: Yes I did fight on the front lines.

3.b.2. The Detainee suffered a chest injury while fighting on the front lines.

Detainee: Yes I did suffer a chest injury.

3.b.3. The Detainee fled to the Tora Bora region in November 2001.

Detainee: I fled to the Tora Bora region.

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3.b.4. The Detainee stayed in a cave with Usama Bin Ladin in Tora Bora.

Detainee: I was in the cave for approximately 15 minutes but I did not stay at the cave.

3.b.5. The Detainee fled Tora Bora for Pakistan and was captured by the Pakistani military.

Detainee: This is true.

Personal Representative: During our session also he relayed to me some of things about being in this camp. Number one, he has cooperated his entire stay while here. He was actually over in Camp 4 and prior to Ramadan, he was beaten by other Detainees who believe he is a spy. He wanted to be moved to this camp. He continues to be cooperative. In the other, he was threatened many times to be killed by other Detainees.

Detainee: The latest threat, I just received this passed Saturday.

Personal Representative: You (the Detainee) also stated to me that you have been truthful for your time here. That you are not an enemy nor have you ever been against America and that you eventually want to be a refugee and live in America. You have no bad or ill feeling against America. Ma'am, that is the essence of the notes from our 4 November meeting. Would you like to add anything (to the Detainee)?

Detainee: I want to mention that these threats against my life are continuously happening from the Detainees here. From some high ranking Detainees. Me going to Afghanistan, my main motivation was money because they give money to people who go and fight, that was my main motivation. I have no grudge or no hatred against America or any other country. All my life I never thought I would have hatred against European country or any other country.

Tribunal President: Does that conclude your statement?

Detainee: Yes

Tribunal President: Would you be willing to answer some questions that I have?

Detainee: Yes I will.

Tribunal President: Personal Representative, do you have any questions for the Detainee?

Personal Representative: Just one or two ma'am. When you went to fight the jihad, you went because they were going to pay you?

Detainee: Yes, because they were supposed to give my wife the salary but it was the salary it was the lost debt.

Personal Representative: Was that money for your training? While you were training did you get paid?

Detainee: In the beginning when I traveled, I had some money.

Personal Representative: Did you know who you would ultimately end up fighting?

Detainee: It was the Northern Alliance.

The Tribunal President confirmed that the Recorder had no additional questions.

Tribunal Members' Questions

Q. Your background, specifically what was your occupation?

A. I didn't have a specific job. I didn't have a job.

Q. You were living where, just before traveling for the jihad?

A. First, I used to live in Saudi Arabia then I stayed in Yemen.

Q. Your family, your wife was living in Saudi Arabia at that time?

A. No, they stayed in Yemen.

Q. Timeline, when did you go from Yemen to fight the jihad?

A. One day in 2001.

Q. Jihad, what is your understanding of that term?

A. All that I know is that you fight in the name of Allah or for Allah's cause and I all that I know was in becoming a dedicated Muslim is the jihad, to do the jihad. That's all I know. Most of my life, when I was in Saudi Arabia, I spent it in jails because I used to deal in drugs.

Q. The specific individuals that told you about the jihad, do you remember who that was?

A. Yes, I know them yes. I know them since childhood, since I was a child.

Q. You contacted them in Yemen?

A. They were in Saudi Arabia and those people have contacts with other people that work with them in Yemen and send us with those people there.

Q. You went from where in Yemen to Pakistan?

A. I went from Sana'a, which is in Yemen, to Dubai, which is in Emirate United, to Pakistan.

Q. In fighting on the front lines, specifically how did you fight? What weapon did you use when you were fighting?

A. I actually only stayed one day on the front line. So I went to the front line and the next morning I participated and then I got injured. At that time I had a Kalashnikov. Actually, my injury was the result of friendly fire. It was from one of our guys. The car I was injured in, there is a drawing, a very exact drawing with the investigator.

Q. One last question. When you were on the front line fighting, did you see your enemy, who you were fighting against?

A. No, they were very far away. We just saw the tanks or the artillery going but we didn't see them.

Q. Okay, the follow up on that, were you able to identify what type tanks or artillery they were or whom they belonged to?

A. No I don't know. All my life I never seen a tank until I saw it in Afghanistan.

Q. Where were you when you heard of the attacks against the United States on September 11th?

A. I was in a city called Kaliban (ph) in northern Afghanistan.

Q. Were you told that the Americans or the United States forces were coming after 9/11?

A. They were expecting something like this.

Q. In relation to Ramadan, when were you captured? I'm just using Ramadan as a reference if that makes it easier so I can figure out when...

A. Do you want when or where?

Q. When. I'm sorry when? Thank you.

- A. It was on the 28th day of Ramadan. In a border area called Bachnika (ph).
- Q. From the time that the United States started bombing until time that you were captured, did you continue to fight?
- A. I wasn't fighting. After I was injured I was brought to the back lines and I stayed in like a safehouse or guesthouse and I was transported from one area to another after I was injured.
- Q. Do you have any timeframe of when you believe you were injured?
- A. I believe before the American hit. About two weeks before that (before 9/11).
- Q. Therefore, you just laid either in a hospital or at the house recuperating until captured?
- A. I was in a guesthouse or safehouse.
- Q. How do you feel now about jihad?
- A. When I went to Afghanistan I realized it was not a jihad because the people they were fighting were Muslims too. So it was clear that it wasn't really jihad. When the American forces captured us we knew the truth by then.
- Q. Would you fight jihad again?
- A. No, three years is more than enough. That is true, three years, I don't know anything about my family...
- Q. Please verify, the safe house in Kabul, did you say that it belonged to Usama Bin Ladin or the commander?
- A. There were actually four houses. Three of them were Usama Bin Ladin's and one, the second floor was occupied family and the first floor was like a guesthouse.
- Q. So the one that you stayed in belonged to Usama Bin Ladin?
- A. I used to go between the two houses, between Usama Bin Ladin's house and the other gentlemen's house.
- Q. In Yemen, did you go to a Mosque and meet someone who motivated you to go fight jihad?

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- A. No, I didn't meet anybody then. It was from Saudi Arabia because I came from there they arranged all my travel and everything to come here.
- Q. How did that all start? How did the people in Saudi Arabia know that you wanted to fight jihad?
- A. I really interested in jihad or anything but these people in Saudi Arabia they motivating us and exciting us convincing us to go to jihad. I was ignorant about religious things. I didn't know anything religion.
- Q. Did they come to a mosque to talk to you? How did you meet?
- A. They were my neighbors, we used to be in the same neighborhood. Some of them were also drug dealers that repented.
- Q. Was there any one particular person that recruited you or paid for your travels?
- A. There was one person that really motivated me and kind of recruited me but it was another person who financed my travel. He not only financed mine, he financed a lot of other people's travels.
- Q. Do you remember the names of these two, the recruiter and the financier?
- A. Their names are all mentioned in the file from the interrogations. They even brought me a map and I showed them the houses and everything.

Tribunal President's questions

- Q. I just have a question reference that you indicated that you were in fact in a house in Kabul when the U.S. bombing began. Is that when you left to go to the Tora Bora region?
- A. No this was in Kabul.
- Q. Okay, but how did you get from Kabul to Tora Bora?
- A. In a car. First of all I went from Kabul to Jalalabad and then from Jalalabad city to Tora Bora.
- Q. Were you still injured at this point?
- A. Just a little bit left on the wound but I was fine.
- Q. Once you got to Tora Bora, what did you do there?

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A. In Tora Bora I was a fighter, I still had the Kalashnikov and also I was a cook at the same time.

Q. How long would you say that you stayed there before you left to go to the border?

A. About two months.

Tribunal President: I'd like to thank you for your participation in this Tribunal today.

Detainee: No problem.

Tribunal President: For the record, I...

Detainee: You mentioned that you need a closed session to talk about the classified information. I'm I going to attend this session?

Tribunal President: No. Unfortunately, it is classified because it's sensitive information.

Detainee: No problem.

Tribunal President: So that you know for the record, we will pass up through our channels that you are receiving threats here in Camp 5.

Detainee: The threats started are related to the classified information I gave during the interrogations. That information was about high level people in al Qaida.

The Tribunal President confirmed with the Personal Representative that the Detainee had no further evidence and/or witnesses.

The Tribunal President stated that all unclassified evidence had been presented to the Tribunal and closed the open session.

The Tribunal President explains the remainder of the Tribunal process to the Detainee

Detainee: I requested refugee status because I can't go back to my country. I have been threatened to be killed by many people.

Tribunal President: We will note that for the record.

The Tribunal President continued to explain the remainder of the Tribunal process to the Detainee and adjourned the Tribunal.

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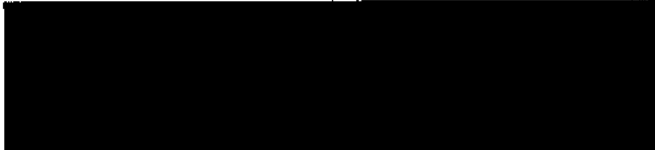
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AUTHENTICATION

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



Colonel, United States Army
Tribunal President

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