

**Summarized Sworn 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 Tribunal President then offered the Muslim oath to the Detainee.*

*The Personal Representative then stated each point of unclassified evidence separately to allow the Detainee the opportunity to respond.*

Personal Representative: (3.a.1) *The Detainee was captured carrying numerous documents, including three handwritten notebooks with information on weapons systems; extensive information on weapons systems; extensive information about counterintelligence architecture and methods; extensive references to chemistry and poisons.*

Detainee: In November 2001, I was at the bazaar in Pakistan when the intelligence service of Pakistan arrested me. When they first arrested me, they asked me for money. Things were bad in Pakistan in those days. I told them I was just a poor refugee, and had no money. They arrived at the prison and put me in the basement. They gave me three printed books and told me to make copies. They said if I copied them, they would let me go. First, I said no and refused to do it, so they beat and tortured me for one month. Then I had no choice. When I finished writing, they took all three notebooks away from me. After that, they took me to prison named Khad. I was there in Khad for about 8-9 days until they turned me over to the American forces. Then, I took a military airplane to Kandahar. At the base in Kandahar, they interrogated me, but I said I'm a poor refugee man. They then showed me the three notebooks, telling me it was my handwriting, and they beat me up. They told me it all belonged to me, and the Pakistani forces gave them this evidence against me. I tried to explain I was a refugee, but they said 'no' because it was my handwriting and didn't believe me. After that, I was quiet. They didn't trust me. I didn't have any proof. I told them I was tortured and they (Pakistan) made me write the notebooks. This is the story of the 3 notebooks.

Personal Representative: (3.a.2) *The detainee was captured carrying a small book containing information on fighters associated with the Islamic Group Nahzat-Islami and weapons serial numbers associated with names of mujahadin fighters.*

Detainee: Again, these are all tricks of the Pakistani police made up. When I was arrested, I had nothing with me, no notebooks, just two personal letters with me. The only thing was that when I was asked to copy, I copied the serial numbers of the weapons. The whole world knows there have been several wars in my country. I was a refugee over there, so they told me to make up some Tajiki names. I didn't know why they were asking me to do that, so I made up some names and put them in the notebook.

The 3-4 books were about those weapons, but the 4<sup>th</sup> one was about Hadies, sayings of Mohammad. I was forced to take those writings from those 4 books and put them into small notebooks. They made up all 4 notebooks and 3 of them, I believe, were about those chemicals and weapons, but the 4<sup>th</sup> was about Hadies.

Personal Representative: *(3.a.3) The Detainee was a member of the Islamic fundamentalist group Nahzat-Islami.*

Detainee: No, I've never been a member of that Islamic party. You know there were several wars going on in my home country, so many people immigrated to Afghanistan. When we came to Afghanistan, we didn't know anybody, we didn't have any friends and we didn't know how to survive. There were organizations from the United Nations from Red Cross and from this Islamic group. In order to get as much food and shelter as possible, we put our names on their list. If I put my name on their list, it was because I was a refugee and I wanted to get some help. It wasn't only me, thousands of refugees had to tell the United Nations and Red Cross that we were in this Islamic group to get help from them. I wasn't the only one, there were women, kids, and older men, and they all had to write their names down.

Personal Representative: *(3.a.4) Nahzat-Islami is a Tajik fundamentalist group that fought against the Russian backed government of Tajikistan.*

Detainee: The whole world knows that this group was against the Russians, and was fighting, but I was never in this group in Tajikistan, and never fought against Tajikistan's government. At that time, I was a little boy and was not old enough to fight. I put my name in that group in Afghanistan, just to get some help. I've never been a real member of that party.

Personal Representative: *(3.a.5) The Detainee studied in a madrassa for at least a year under the Taliban, and received terrorist training in Afghanistan, or Pakistan, from several instructors in military doctrine, intelligence, weapons, training methods, and terrorist operations.*

Detainee: All lies. This is all not true. The problem was that I was a refugee. When you are a refugee, no matter what country you are in, people don't like you. Whether Afghanistan, Pakistan or United States, they are all trying to get rid of you and don't respect you. I've never been trained in that school, and this is all made up by Pakistan. What did you prove; how do you prove I had this training?

Personal Representative: *(3.a.6) The Detainee lived at Camp Babu in Pakistan from early 2001, until his capture.*

Detainee: Yes. I lived in the camp and the whole world and Pakistan knows that it was a refugee camp. It was in the city of Peshawar. It is not a terrorist training facility or anything like that; it is a refugee camp. You can investigate this if you want. The

government of Pakistan usually closed the terrorist training camps. This was a refugee camp, and was available because they closed it from being a terrorist training camp.

Personal Representative: *(3.a.7) The Taliban and al Qaida trained male and female suicide attackers at Camp Babu in Pakistan.*

Detainee: Camp Babu is in control of the government of Pakistan for Afghan and other refugees. I don't know why they say it is a terrorist camp. It is not a place for Taliban or al Qaida. That camp is designed for refugees. You can ask the Pakistani government and investigate that camp because it is under their control.

Tribunal President: Does this conclude your statement?

Detainee: Yes, that is my answer for the accusations.

***The Tribunal President then asked the Personal Representative if he had any questions for the Detainee.***

Personal Representative: Did you tell me that it was your understanding that the U.S. pays a ransom to Pakistan for people turned over to U.S. forces?

Detainee: Yes, sir. This is so true. The Pakistanis are making business out of this war, including myself; the detainees are not being captured by U.S. forces, but are being sold by the Pakistan government. They are making 2, 3, or \$10,000 to sell detainees to the U.S. There are also detainees from Bosnia here. They are making business because they know the U.S. will pay them if they say they are terrorists. Some interrogators told Bosnian detainees that we didn't have anything against you, we bought you. We don't know why we are holding you. It was just a business that Pakistan is making out of this war.

***The Tribunal President then asked any Tribunal Members if they had any questions of the Detainee.***

Q: Just to clarify what you told us today; did you leave Tajikistan with your whole family all together because of the war there?

A: Yes, because of several wars, the whole family left and became immigrants.

Q: Do you remember what year you left?

A: 1992.

Q: And you have lived in Afghanistan and Pakistan since that time?

A: I lived in Afghanistan from 1992 to end of 2000. I lived in Pakistan after that for 8 months or so until I was captured.

Q: How old were you when you left Tajikistan?

A: 12 or 13 years old.

Q: So you were just a young student in school at the time?

A: Yes. I studied until the 6<sup>th</sup> grade in a government public school in Tajikistan. The war started and we left.

Q: When you traveled to Afghanistan and Pakistan and you lived there, did you stay there with or without the country's permission?

A: When we entered Afghanistan, there were a few thousand of us Tajiki people. At that time, I was too young. I did not know if it was legal or illegal. On the border there were some Russian soldiers, and they let us pass.

Q: And how about Pakistan?

A: There were lots of Afghan refugees in city of Peshawar; it is very usual for someone to go because no one asks us for any documents. Once you say you are a refugee, they let you come.

Q: What made you and your family decide to go from Afghanistan to Pakistan?

A: While we were in Afghanistan, no matter where we went, there were always wars. Since my father was killed, we always obeyed my mother; it was my mother's decision to move to Pakistan because she said it was at least a peaceful country with no war going on. My father was killed a long, long time ago. Because of this, we have to listen to our mother; it is our culture.

Q: So you and your mother and your brothers all went to Pakistan to the camp to live together?

A: It was me, my mother, my brother, two sisters, and a bunch of Afghan refugees; we all went together.

Q: During the 8 years in Afghanistan and almost a year in Pakistan, what did you do with your time?

A: There's not much there for us to do. I did construction work, only making a little money.

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Q: You said Camp Babu is near Peshawar, Pakistan?

A: Yes. It is close to the city of Peshawar. If you drive from the center of the city to the camp it is approximately half-an-hour's drive.

Q: Were there all kinds of refugees in Camp Babu; Afghan, Tajik, and others as well?

A: The majority of them are Afghan refugees. There are only a few Tajiki.

Q: Did you ever consider returning to Tajikistan?

A: Yes. I wanted to go home at the end of the war in Tajikistan; some Tajiki refugees returned, but my mother didn't agree. She said our life was miserable over there, and she had no good memories.

Q: Have you ever had any military training in your life?

A: No, sir.

Q: No one ever showed you any kind of weapons?

A: No, sir.

Q: You told us you were in a bazaar and the Pakistani intelligence people just suddenly came and arrested you one day?

A: Yes. Things were pretty bad in Pakistan and Afghanistan in those days. Pakistanis were looking for any foreigners in those days. Anywhere they would see a foreign looking person, they would immediately arrest them.

Q: To hear your story, it seems they went through an awful lot of effort to have you write down these very specific accusations. I'm just wondering why they would do that if you were just a poor refugee, as you said.

A: They knew that when they made me do that...they knew that the more evidence they created, the more dangerous they made me, the more money they would make from the Americans. There was a reason for that.

Q: Did you ever have any trouble with Pakistani authorities before?

A: No, sir. Before that, there wasn't any problem for refugees until the war with the Americans. As soon as the Americans went to Afghanistan, it became a good opportunity for Pakistan to make money out of this war. They started arresting people everywhere.

Q: Are there other people that were arrested with you and now at the camp as well?

A: I was by myself when I was captured. When I was moved to Khad, I saw many people arrested because they were not Pakistani looking.

Q: Are there other Tajiki people here you recognize?

A: I have seen a few Tajiki detainees here, but I did not know them prior to here.

Q: Were you ever able to continue your schooling after you left Tajikistan?

A: No, sir. As I told you before, I had no father with me, so there wasn't much opportunity for me to go to school. I was the oldest son of my mother, so I had to work here and there to find money and help my family.

Q: If your family members could've been located and brought here, what would you expect them to say?

A: A mother knows her son better than anybody else, so my family, I assume, would say exactly the same thing I told you.

Q: Your brother as well?

A: I believe so. They all know. We all came together and lived together. They would've told you the same thing I have told you.

*At this time, the other Tribunal Member addressed the Detainee.*

Q: How many people were at Camp Babu?

A: I can't give you an exact number, but I would say over 1000. It was mostly families, man, wives, and kids all together; at least over a thousand.

Q: When you had to make copies of the documents, what were you given to copy from? Were there other books? Who made you do it...a policeman, several people, one person? In a jail or in a house?

A: I believe, sir, I was held in the intelligence services building in a basement. They were coming to me at three and four people at a time. They brought a printed book, a pen and notebook and made me write. It was in an intelligence services compound, not in a prison.

Q: Do you have any idea where these documents are now? (The ones you made that were shown to the U.S.) Did you see them again?

A: They're here. At the time of the interrogation, they showed it to me and asked me about it, so they're here.

Q: Did you have any idea that what you were writing was about weapons and chemicals, things of that nature?

A: Yes. I knew that they were serial numbers of weapons, and the other one was Hadies, I knew. Yes, I knew what I was writing.

Q: What language were you writing in?

A: Persian or Farsi.

Q: What would your native language be?

A: My native language is Tajiki; it is similar to Farsi. It just has different pronunciations. Farsi and Tajiki are the same. It is the same language and writing, just the accent is different.

Q: Have you been able to communicate with your family at all since you've been here?

A: No, sir. I have not contacted them. I did try through the UN and Red Cross to find them, but they couldn't locate them.

*At this time, the Tribunal President addressed the Detainee.*

Q: Were any other members of your family arrested?

A: I don't know, sir. Since I was arrested alone, I don't know where they are. There is a possibility they were arrested by Pakistani police like me, or they went back to Tajikistan, or are back in Pakistan, but they couldn't find them.

Q: Would you know if any of the other refugees from Camp Babu had been arrested?

A: Here I haven't seen any of the other refugees from Camp Babu.

Q: Thank you. Is there anything else you'd like to make known to this tribunal today?

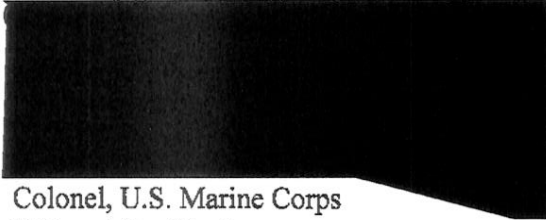
A: No, sir. I think I told you everything.

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*The Tribunal President thanked the Detainee for his testimony, and explained the rest of the Tribunal process. The Tribunal President then adjourned the open session.*

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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