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Summarized Detainee Statement

Tribunal President: Tariqe Al Harbi, you may now present any evidence you have to the Tribunal and you have the assistance of your Personal Representative in doing so. Do you wish to present evidence to the Tribunal?

Detainee: Yes, I do. I gave that information to the Representative.

Tribunal President: Okay. Your Personal Representative will read a statement on your behalf.

Detainee: Yes.

Tribunal President: Would you like to swear or not that the words he is going to speak on your behalf are the truth as far as you know?

Detainee: Yes.

Tribunal President: Will this be the Muslim oath or non-Muslim oath?

Detainee: Muslim oath.

Tribunal President: You stated previously that you wanted to take the Muslim oath. Recorder please administer the Muslim oath.

The Detainee was sworn using the Muslim oath. The Detainee testified to the Tribunal in substance as follows:

Tribunal President: Tariqe Al Harbi, you may begin.

Personal Representative: Sir, Detainee Tariqe Al Harbi dictated the following written statement on 7 September 2004 in response to the unclassified summary of evidence dated 30 August 2004.

In response to allegation 3(a)(1), in June 2001, the Detainee voluntarily traveled from Saudi Arabia to Afghanistan for the purpose of fighting the Northern Alliance.

Personal Representative: Tariqe went to Afghanistan for religious reasons, to help the poor and needy. The Islamic religious leaders (Sheiks) told him that he had to go to Afghanistan to help the poor and needy or God would punish him. He did not go there voluntarily, he went there to avoid punishment by God. He did not go to fight against the Northern Alliance.

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In response to allegation 3(a)(2), after arriving in Afghanistan, the Detainee trained at Al Farouq training camp.

Personal Representative: Tariqe traveled alone by plane from Saudi Arabia via the United Arab Emirates to Pakistan. In Pakistan, Tariqe was picked up by an Afghani who took him to an Arabic guesthouse in Afghanistan. Tariqe did not speak the same language as the Afghani that picked him up. So the Afghani took him to the Arabic guesthouse to find someone who could understand him. At the Arabic guesthouse Tariqe was asked why he was there. Tariqe told them to help the poor and needy. Tariqe was told that he would not be able to help the poor and needy without first attending the Al Farouq training center. Tariqe did not want to go to this training center, but the Arabs at the guesthouse told Tariqe it was the only way he could help the poor and needy.

In response to allegation 3(a)(3), at the Al Farouq training camp, the detainee received training on the Kalishnikov and pistols.

Personal Representative: The Al Farouq training Center was not for the Afghanis, but was for Arabs. At the camp, Arabs would train Arabs on how to use the Kalishnikov rifles and pistols. Tariqe found it odd that the camp was for Arabs only, and taught how to use these weapons. When Tariqe questioned people about this, Tariqe was told if you don't learn the Kalishnikov and pistols, you can't help the poor and needy Afghanis. Tariqe attended the Al Farouq training camp for approximately two weeks and never shot any of the weapons. The training Tariqe received during these two weeks consisted of theory on how to use and repair the aforementioned weapons. Tariqe also received training on how to read and understand the Koran. Tariqe did not go to Afghanistan to learn how to fight and shoot weapons. Tariqe went to Afghanistan to help poor and needy Afghanis. Thus, Tariqe decided to escape the Al Farouq training camp and go to Kandahar.

In response to allegation 3(a)(4), in Kandahar, Afghanistan, the detainee sought to become a member of the Taliban.

Personal Representative: Tariqe went to Kandahar to find the Taliban to see if it was true that the only way to help the poor and needy in Afghanistan was to attend the Al Farouq training camp. The Taliban told Tariqe there was another way, the Taliban way, meaning Tariqe could help the poor and needy if he joined the Taliban. The Taliban also told Tariqe he was too young to be a member of the Taliban. This did not matter, because Tariqe did not want to join the Taliban, even if he was old enough. Tariqe was there to help the poor and needy, not to join the Taliban and not to learn to shoot and maintain Kalashnikovs or pistols at Al Farouq. Tariqe was faced with three options. Tariqe could return to the Al Farouq training camp and learn fighting skills, wait until he was old enough to join the Taliban, or simply go home.

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In response to allegation 3(a)(5), the detainee was apprehended by Pakistani police when he attempted to cross the Pakistani border. He was then transferred to U.S. custody.

Personal Representative: Tariqe decided to go home. Tariqe traveled to Jalalabad and then to the Pakistani border. At the border, Tariqe asked the Pakistani authorities to take him to the Saudi embassy so they could send Tariqe home. Tariqe was not apprehended. Instead, the Pakistani authorities turned him over to the United States authorities. The only reason Tariqe went to Afghanistan was to help the poor and needy. Although Tariqe had been told that Massoud's fighters had mistreated Afghans, Tariqe did not go there to help the Afghani poor and needy by taking up arms against Massoud, nor did Tariqe go to Afghanistan to join the Taliban.

Personal Representative: Tariqe, in your statement, you indicated that you did not go to Afghanistan to fight against the Northern Alliance and you did not go there to fight against the Taliban. Did you go there to fight with Al Qaida?

Detainee: No.

Personal Representative: You were told you had to go to the Al Farouq training camp in order to help the poor and needy people. While you were at that camp, at any time, did you handle or did you shoot any weapons?

Detainee: No.

Personal Representative: Is it true that the only instruction you received was theory on the weapons? There was no handling of weapons?

Detainee: Yes.

Personal Representative: You also indicated in your statement that you decided to escape from the Al Farouq training center. This implies that they (Al Farouq training center) did not want you to leave, but you wanted to leave, is this true? You left on your own accord, without their permission?

Detainee: It was my choice.

Personal Representative: They did not make you leave?

Detainee: No.

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Personal Representative: You went then, to Kandahar, to find the Taliban to see if there was another way to help the poor and needy. Did you go there to join the Taliban?

Detainee: No.

Personal Representative: You also indicated that when you decided to go home, you went via Jalalabad. How long were you in Jalalabad?

Detainee: Two to three months.

Personal Representative: What did you do while you were in Jalalabad?

Detainee: I was just discussing with the people there, why I came to Jalalabad.

Personal Representative: Did you receive any training while you were in Jalalabad?

Detainee: No.

Personal Representative: Did you receive anything related to military type training?

Detainee: No.

Personal Representative: Did you shoot any guns or any weapons, while you were in Jalalabad?

Detainee: No.

Personal Representative: At any time during your stay in Afghanistan, did you ever shoot any weapons?

Detainee: No.

Personal Representative: At any time while in Afghanistan, did you help anyone do any hostile acts against Northern Alliance forces or U.S. forces, or our allies in the war on terrorism?

Detainee: No.

Personal Representative: While you were there, all you tried to do was help the poor and needy?

Detainee: Yes.

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Personal Representative: After two and a half months, you decided to go to the Pakistan border to have the authorities take you to the Saudi Embassy. You did not try to sneak across the border. You went and sought out the Pakistani authorities?

Detainee: I went there and sought the Pakistani authorities.

Personal Representative: Instead of taking you to the Saudi Embassy, the Pakistani authorities turned you over to the U.S. authorities?

Detainee: Yes.

Personal Representative: Thank you. Mr. President, I have no further questions.

Tribunal President: Does the Recorder have any question for the Detainee?

Recorder: No, Sir.

Tribunal President: Okay. Do any of the Tribunal Members have questions?

Tribunal Member: When you traveled from Saudi Arabia to Afghanistan, did you have a one-way ticket or a two-way ticket?

Detainee: I went from the United Arab Emirates to Afghanistan by plane. I went from Saudi Arabia to the United Arab Emirates. Then from there by a plane to Pakistan. I had a two way.

Tribunal Member: So you had a round trip plan?

Detainee: Yes. I was not planning on staying there for a long period of time. That is why I had the round trip ticket.

Tribunal Member: In regard to your travel and time in Afghanistan, how did you pay for that?

Detainee: It was my own funds.

Tribunal Member: So you used your own money for the airline travel and also your time in Afghanistan? You supported yourself with your own money?

Detainee: Yes.

Tribunal Member: Have you ever been a member of or associated with, or support Al Qaida forces?

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Detainee: No.

Tribunal Member: When you had gone to Kandahar, Afghanistan, I understand you never shot a weapon, but did you ever carry any weapons?

Detainee: No.

Tribunal Member: Did you ever associate with anybody who did?

Detainee: No.

Tribunal Member: When you were going from Afghanistan to the Pakistani border, were you by yourself or with a group of people?

Detainee: I was by myself.

Tribunal Member: How old were you when you left Saudi Arabia and went to Afghanistan?

Detainee: I was eighteen or nineteen years old.

Tribunal Member: Who made arrangements for you to go to Afghanistan?

Detainee: Nobody.

Tribunal Member: How did you know where to go?

Detainee: From the religious people there and the Sheiks were telling me.

Tribunal Member: Where did they tell you to go?

Detainee: To go to Pakistan, then Afghanistan.

Tribunal Member: Did they make any arrangements for you at all?

Detainee: No.

Tribunal Member: Did you make any arrangements in advance before your trip?

Detainee: Arrangements like what?

Tribunal Member: Where you would stay along the way?

Detainee: I did that.

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Tribunal Member: Did you know anyone in Afghanistan?

Detainee: No.

Tribunal Member: How did the Afghanistan man who met you in Pakistan know to pick you up at the airport?

Detainee: The Afghani guy was from the Afghani border.

Tribunal Member: Did you arrange to meet that man ahead of time?

Detainee: No.

Tribunal Member: You paid for the entire trip yourself?

Detainee: Yes.

Tribunal Member: Where did you get your money for the trip?

Detainee: It is my own money.

Tribunal Member: Do you have a job in Saudi Arabia?

Detainee: I am a businessman.

Tribunal Member: What do you do?

Detainee: I sell clothes for the Pilgrim people who make pilgrimages to Mecca.

Tribunal Member: What is the nearest Afghani big city closest to the Al Farouq training camp?

Detainee: Kandahar.

Tribunal Member: About how far away is it?

Detainee: I don't know.

Tribunal Member: How did you get from Al Farouq to Kandahar?

Detainee: When I escaped from the Farouq training camp, I used some Bedouins in the area. They took me to Kandahar.

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Tribunal Member: So you did not travel with anyone else from the camp?

Detainee: No.

Tribunal Member: Did you have a weapon at that time?

Detainee: No.

Tribunal Member: What Taliban officials did you talk to in Kandahar?

Detainee: I do not know.

Tribunal Member: How did you know who to talk to?

Detainee: I did not know any of them. All I knew was those were the Taliban people and I went there to talk to them.

Tribunal Member: Were they soldiers?

Detainee: No.

Tribunal Member: Were you around any Taliban fighters at all in Kandahar?

Detainee: No.

Tribunal Member: How did you travel from Kandahar to Jalalabad?

Detainee: I was in a taxi.

Tribunal Member: Were you by yourself?

Detainee: Yes.

Tribunal Member: Were you armed?

Detainee: No.

Tribunal Member: You then stayed in Jalalabad for two and a half months?

Detainee: Yes.

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Tribunal Member: What did you do in Jalalabad?

Detainee: I was checking on my status on how much longer I was going to stay in Afghanistan.

Tribunal Member: Why didn't you just go home?

Detainee: I went to Jalalabad to find out my status and how they were going to take me back to Saudi Arabia.

Tribunal Member: Who were you checking with?

Detainee: The Afghani Government.

Tribunal Member: Do you know at what point during your travel did the September 11th attacks on the United States take place?

Detainee: I was in Jalalabad.

Tribunal Member: How did you pay for everything? Where did you get the money to stay in Jalalabad?

Detainee: I paid with the money I had with me from Saudi Arabia. I used it all up.

Tribunal Member: Who did you stay with?

Detainee: I stayed at a guesthouse for people coming from outside Afghanistan. People stop there to rest.

Tribunal Member: Were there Taliban fighters staying at the guesthouse?

Detainee: I do not know.

Tribunal Member: Were people with weapons staying at the guesthouse?

Detainee: No.

Tribunal Member: Was it an Arab guesthouse?

Detainee: It was mixed.

Tribunal Member: How about Al Qaida members? Were there any Al Qaida members staying there?

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Detainee: I do not know.

Tribunal Member: When were you captured? Can you give us an idea of the date you were captured?

Detainee: I have no idea.

Tribunal Member: How many months after the September 11th attacks were you captured?

Detainee: I do not know. I was not counting.

Tribunal Member: When you were in Jalalabad, did you ever stay with any fighters?

Detainee: No.

Tribunal Member: Did you see any fighting in Kandahar, Jalalabad, or on your way to Pakistan?

Detainee: No.

Tribunal Member: Did you have your passport when you were captured?

Detainee: No.

Tribunal Member: What happened to your passport?

Detainee: I forgot it in Kandahar.

Tribunal President: I understand you do not know when you were captured, but do you know when you left Saudi Arabia to start your trip?

Detainee: I do not know.

Tribunal President: When you were at the guesthouse on your way to Afghanistan and you were told you had to go to Al Farouq to learn training to take care of the poor and needy.

Detainee: Yes.

Tribunal President: Did you know then that it would be military training?

Detainee: Yes.

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Tribunal President: When you got to Al Farouq, you said it was Arabs training Arabs. What were those Arabs? Were they Al Qaida, Taliban; were they any kind of group?

Detainee: I was forbidden to ask any questions.

Tribunal President: You had no discussions with others in the camp on that topic?

Detainee: Yes.

Tribunal President: Explain. Yes, what?

Detainee: I talked with some people from the Taliban in the camp.

Tribunal President: So you did know that there were people in the camp from Taliban and Al Qaida. Were there people in the camp that were Taliban or Al Qaida?

Detainee: No.

Tribunal President: How do you know that?

Detainee: I never asked.

Tribunal Members had no additional questions for the Detainee.

Tribunal President: Tariq Al Harbi, now that we have finished our questions, do you have any other evidence to present to this Tribunal?

Detainee: If I have more information? No.

Tribunal President: Personal Representative, do you have any further evidence or questions to present to this Tribunal?

Personal Representative: Yes, Sir. I do have a few more questions based on the questions asked. When you went to Afghanistan, you had a passport and papers?

Detainee: Yes.

Personal Representative: When you went to the Al Farouq training camp did they take those papers from you?

Detainee: Yes, they took everything from me.

Personal Representative: Did they give those papers back to you while you were at that training camp?

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Detainee: No.

Personal Representative: When you escaped, did you get your paperwork before you left?

Detainee: I left my passport at the Arabic house in Kandahar.

Personal Representative: You left them there before you went to the training camp in Al Farouq?

Detainee: It was before I went to Farouq camp.

Personal Representative: So you never got your passport back after you left?

Detainee: I forgot it there.

Personal Representative: Thank you. No further questions.

Tribunal President: Recorder do you have any further questions?

Recorder: No, Sir.

Tribunal President: Tribunal Members, any final questions?

Tribunal Members: No, Sir.

Tribunal President: Nor do I. All unclassified evidence having been provided to this Tribunal, this concludes this Tribunal session.

AUTHENTICATION

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


COL, USA
Tribunal President

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Detainee Tariqe Shallah Hassan Al Harbi dictated the following written statement on 7 Sept 2004 in response to his unclassified summary of evidence dated 30 Aug 2004.

1. Tariqe went to Afghanistan for religious reasons, to help the poor and needy. The Islamic religious leaders (Sheiks) told him that he had to go to Afghanistan to help the poor and needy or God would punish him. He did not go there voluntarily, he went there to avoid punishment by God ~~by helping the poor and needy~~^{CEL}. He did not go to fight against the Northern Alliance.
2. Tariqe traveled alone by plane from Saudi Arabia via the United Arab Emirates to Pakistan. In Pakistan he was picked up by an Afghani who took him to an Arabic guesthouse in Afghanistan. He did not speak the same language as the Afghani who picked him up, so the Afghani took him to the Arabic guesthouse to find someone who could understand him. At the Arab guesthouse he was asked why he was there. Tariqe told them to help the poor and needy. He was told that he would not be able to help the poor and needy without first attending the Al Farouq training center. He didn't want to go to this training center, but the Arabs at the guest house told him it was the only way he could help the poor and needy.
3. The Al Farouq Training Center was not for the Afghanis but was for Arabs. At the camp Arabs were training Arabs on how to use Kalashnikov rifles and pistols. He found it odd that the camp was for Arabs only and taught how to use these weapons. When he questioned people about this he was told if you don't learn the Kalashnikov and pistols, you couldn't help the poor and needy Afghanis. He attended the Al Farouq training camp for approximately two weeks and he never shot any of the weapons. The training he received during these two-weeks consisted of theory on how to use and repair the aforementioned

weapons. He also received training on how to read and understand the Koran. He did not go to Afghanistan to learn how to fight and shoot weapons, he went there to help poor and need Afghanis. Thus he decided that he would escape the Al Farouq training camp and go to Kandahar.

4. He went to Kandidar to find the Taliban to see if it was indeed true that the only way he could help the poor and needy in Afghanistan was to attend the Al Farouq training camp. The Taliban told him that there was another way, the Taliban Way meaning he could help the poor and needy if he joined the Taliban. However they also told him that he was too young to be a member of the Taliban. This didn't matter because he did not want to join the Taliban, even if he was old enough. He was there to help the poor and needy, not to join the Taliban and not to learn to shoot and maintain Kalashnikovs or pistols at Al Farouq. Thus he was faced with three options. He could return to the Al Farouq training camp and learn fighting skills, he could wait till he was old enough to join the Taliban or he could simply go home.
5. Tariqe decided he should go home. He traveled to Jalalabad and then to the Pakistani boarder. At the boarder he asked the Pakistani authorities to take him to the Saudi embassy so they could send him home--he was not apprehended. Instead, the Pakistani authorities turned him over to United States authorities. The only reason Tariqe went to Afghanistan was to help the poor and needy. Although he had been told that Mossoud's fighters had mistreated Afghanis, he did not go there to help the Afghani poor and needy by taking up arms against Mossoud. Nor did he go to Afghanistan to join the Taliban.