

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 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 Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.

The Personal Representative read the allegations to the detainee so that he could respond to the allegations. The allegations appear in italics, below.

The Detainee did not want to take any oath.

a. The detainee is associated with the Taliban and supported hostilities against the United States and its coalition partners.

a.1. The detainee traveled to Afghanistan because he heard Uighur people could receive military training there.

Detainee: That is right. I heard there were Uighur people there, that is why I went there. I went there for my own best interests; I didn't go there for the fight against the U.S. government.

a.2. The detainee arrived in Afghanistan from China via Pakistan and Kyrgyzstan in June 2001.

Detainee: That is true.

a.3. The detainee stayed at a Uighur guesthouse in Pakistan.

Detainee: What do you mean stayed, I went there at night and left in the morning.

a.4. The detainee attended a Uighur training camp in Afghanistan.

Detainee: I didn't attend the training camp. If they call that the training camp, I wasn't in the training camp. I stayed in the place where the Uighur people stayed.

a.5. The detainee received training in the use of the Kalashnikov rifle and a type of pistol.

Detainee: Are you saying training? Do you mean when you use the weapons or when you see the weapons?

UNCLASSIFIED//FOUO

Tribunal President: To further explain that, did you handle a Kalashnikov weapon? Did they show you how to use it? Did they show you how to disassemble it and put it back together?

Detainee: I was shown the weapon by the other people because I was interested. Since I wasn't in my country, I had just seen it in the movies and I didn't see it in real life. Then I was happy. That's the thing that dictates to us in our home country, so I looked at it and how to use it and how to hold it but I didn't really use the weapon.

Tribunal President: What about the pistol?

Detainee: Both of them the same.

I've been told many times in the interrogation that I was a new comer. What I heard is that if we decide to stay it was kind of a test for us: are we going to continue and go to the next level or not? If we chose to stay at this place then what I heard is they are going to take us to other places, but I don't know where they are located and what exactly they do.

a.6. The detainee decided to travel to Afghanistan and join the Islamic Movement of Uzbekistan.

Detainee: That is true, I went to Afghanistan. The reason is because number one: I am scared of the torture from my home country. Second: if I go there I will get some training to fight back against the Chinese government. I don't know if there is an Uzbekistan organization. I don't know any of them; why would I join the Uzbekistan movement? I only know them since I got to this base, then I found out there were some Uzbek people. I didn't know them before I came to this camp.

a.7. Islamic Movement of Uzbekistan is a terrorist organization.

Detainee: I know what is my goal because my country and my own people and my own family are being tortured under the Chinese government and there is too much pressure. Why would I join and drop my own problem on the side to help other person? That doesn't make any sense. I said this many times.

a.8. The detainee was captured in Pakistan after crossing the border from Afghanistan.

Detainee: It shows in here that I am a Detainee; a Detainee is someone who fought against another government or force. Then, if they are captured, they should be called a Detainee. I wasn't fighting against any government or other forces. We were in a mountain and we had no more food. We just stayed in a mountain because of the continuation of bombing going on. We didn't know the road and so we followed some other people into Pakistan. We crossed the border and there were lots of people. They took us into their homes and fed us. On the second day they took us to a mosque and

UNCLASSIFIED//FOUO

there were a lot of people at the mosque. Then they called the Pakistan police. Then we found out, after a few days, that they sold us to the US government.

b.1. The detainee supported military operations against the coalition.

Detainee: I wasn't injured; if I was injured there should be marks on my body.

b.2. The detainee worked construction and improvements of the Uighur camp while in Afghanistan.

Detainee: I helped build the toilet and fix the wall from the kitchen. I was helping bring stones and stuff, it was kind of construction work.

b.3. The detainee was in the Tora Bora mountains during the U.S. air campaign.

Detainee: I heard the name of Tora Bora when I came here from my interrogator. Is that the place we stayed, or are all the mountains called Tora Bora?

Tribunal President: According to the unclassified summary, it says that you were in the Tora Bora Mountains during the US air campaign.

Detainee: The place we stayed was kind of like a village. After the bombing started, then one or two Uighurs were dead and one guy had a broken arm. The place was completely destroyed so we ran to the mountains to stay in a safer place.

Tribunal President: Does that conclude your statement?

Detainee: It mentioned earlier that I was supporting Taliban.

Tribunal President: That is the very first allegation, that the detainee is associated with the Taliban and supported hostilities against the United States and its coalition partners.

Detainee: The first day, I left Pakistan and came to Jalalabad. Then the people I met took me to the place where they lived. During that time, I didn't see any Taliban. If I didn't see any Taliban people, how can I associate with the Taliban? I have never seen American forces or coalition forces. If I don't see those people, how can I associate with the Taliban and fight against the US and the coalition people?

Tribunal President: Do you have anything else to add?

Tribunal President: Abdul we can ask you some question that can assist you in telling the rest of your story.

Detainee: Ok, you can ask.

UNCLASSIFIED//FOUO

Tribunal President: Personal Representative do you have any questions?

Personal Representative: I have just s few.

Personal Representative: Was it your intent when you were training to fight against the US or its allies?

Detainee: I have one point, a billion Chinese enemies, that is enough for me. Why would I get more enemies? I need help. If I need help, how can I drop my goal and decide and go help another person?

Personal Representative: That sums up my other question.

Tribunal President: What was the question?

Personal Representative: What was his intent on doing with the training.

Tribunal President: OK.

Tribunal Member: The Personal Representative asked: when you went to the training, did you intend to fight the US? And the answer was: Why would I want more enemies? In my opinion the question has not been answered yet.

Tribunal President: Please translate.

Detainee: I know my goal; I was never going to fight. I've never seen Americans; why would I fight against the US government?

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. At the camp, were there any Afghanistan, Pakistan, Talibans or Al Qaida?

A. No, Only Uighur people

Q. Who was in charge of the camp? Was it Uighur?

A. Yes, his name was Abdul Hakh (Haq).

Q. Who paid for your travel from home to the camp?

A. I paid my own expenses.

Q. What was your employment or job at home?

A. It was doing business.

UNCLASSIFIED//FOUO

Q. What personal effects or paper work did you have with you when you got captured?
A. All my documents were destroyed during the bombing. When I was captured, I only had my clothing.

Q. Did you ever fire a weapon?
A. Yes, I shot 3 bullets from the Kalashnikov at the camp.

Q. For training or against an enemy?
A. There wasn't an enemy there; I shot just it to try it.

Q. You went to Afghanistan for the purpose of receiving training on how to fight right?
A. Yes, that was my goal.

Q. You did not receive any training according to your testimony. Why is that?
A. The place was new for all Uighurs. Many people that went there stayed for a while for the test. Our leader would look at the people because the place was in real bad shape and there is not enough food and the house is in really bad condition. If we can continue to stay during the harsh environment then their leader will decide whom they will pick to go for the next level of training camp. That is why we stayed and never got any real training.

Q. It is my understanding what you said earlier you stayed in the village until it got bombed. That is when we went to the mountains. I don't understand how you got from the camp to the village?
A. It's not a village; it's kind of a farm. There are just a few houses not enough houses for us to stay in. You could not really grow anything there.

Q. Those are the same place?
A. Yes.

Tribunal President's questions.

Q. What country were you coming from or leaving when you went to Pakistan?
A. I went to Pakistan through Kyrgyzstan.

Q. What country are you from?
A. Turkistan.

Q. How did you travel from Turkistan into Kyrgyzstan then into Pakistan then into Afghanistan? Did you use a car, plane, train?
A. From Turkistan to a city called Rimchi (ph.). Then I traveled by airplane to Kyrgyzstan. Then I also traveled by airplane from Kyrgyzstan to Pakistan. Then from Pakistan to Afghanistan by car.

Q. Did someone assist you with your travel, as in which way to go?

A. I left from China to Turkistan to Kyrgyzstan, I understood some of the Kyrgyz's language because it is a little closer to my native language. Then I found some Uighur people in Kyrgyzstan, but I didn't know those people. I told those people that I wanted to go to Afghanistan. Then they helped me to get a plane ticket and they gave me an address to a guesthouse in Pakistan. When I got to Pakistan, the people there sent me to Afghanistan.

Q. Did you know anyone in Afghanistan before going there?

A. No. I only knew the Uighur people were there.

Tribunal President: I need to clarify a statement you made earlier when you were responding to allegations on the unclassified summary.

Q. Did you join the Islamic Movement of Uzbekistan?

A. I saw Uzbekistan people at this camp in Cuba. I've never seen Uzbekistan people in Afghanistan, but in our country Uzbekistan people speak Uighur language. I never saw any Uzbekistan people in Afghanistan.

Q. My question is, did you join the Islamic group of Uzbekistan?

A. No, I didn't join.

Q. You said you had a business in your country before you left. What kind of business was it?

A. A shoe business.

Q. Was Afghanistan the only country you could have gone to, to receive the training you needed?

A. In our country people are being punished and tortured, a lot of Uighur are dying every single year by the torture. Now every one, not only me, are trying to escape the country and go somewhere else. They are all trying to do that. Because I found the easy way of getting out of the country and going to Afghanistan, it was less expensive to travel. Also Turkistan, Kyrgyzstan and Pakistan border on us and they will turn us back into China. So, I didn't want to stay in those countries.

Q. After you received the training you participated in, in Afghanistan, what were you going to do with that training?

A. After, I would want to go back to my country.

Q. You gave me the impression that you were escaping your country? Then you wanted to go back. I don't understand.

A. I won't go back to my country until I get the power I need to fight my government.

Q. Do you know how long you were in Afghanistan?

A. Since June 2001.

The Personal Representative called the witness, Abdul Hehim, Adel, ISN 293

Tribunal President: you are Adel Abdul Hehim.

Witness: Mohammad.

Tribunal President: Give me your full name.

Witness: When I got to Afghanistan I changed my name to Mohammad.

Tribunal President: You are here to act as a witness for Abdul Gapper (Detainee). I want to make sure that you understand this is not your tribunal.

Witness: I understand.

Tribunal President: This panel will ask you questions as well as the Abdul Gapper (Detainee) may ask you some questions.

The witness took the Muslim Oath.

The Personal Representative and the Recorder had no questions.

Tribunal Members' questions

Q. Mohammad (Witness) when did you met Abdul Gapper (Detainee)?

A. I met him in 2000 at a place where we stayed in Afghanistan.

Q. Do you remember what month in 2000?

A. Probably July.

Q. Were you together when the bombing started?

A. Yes, we were together.

Q. What did you see Abdul (Detainee) doing at the camp?

A. I saw him fixing houses that were destroyed.

Q. Ever any military training?

A. Some time in the early morning we would run together but I didn't see anyone else.

Q. Were there any other people other than Uighur at the camp? Afghanis, Pakistanis; anyone else?

A. I only saw Uighur people, no one else.

Q. Who long were you in the camp?

A. I arrived at the end of June, until the start of bombing.

UNCLASSIFIED//FOUO

Q. I find it strange in a number of months you didn't do anything you thought you would do. Why is that?

A. The place was a really an old place, it was not big enough, so we fixed the bathroom and we fixed the houses and the roads. In Turkistan we don't have the freedom to learn Koran. We don't have religious freedoms and we learned to read the Koran.

Q. When you fled into the mountains, were you armed?

A. No, no weapons.

Tribunal President's questions.

Q. Do you know if Abdul Ghapper (Detainee) was a member of the Islamic Movement of Uzbekistan?

A. No, I don't think he would join another organization because there were only Uighur people in that place. How can he drop that organization to join another organization?

Q. Did you see Abdul Ghapper (Detainee) receive any kind of military or weapon training?

A. There was a guy named Abdul Mahsen, he was the one that trained me on the Kalashnikov. I don't know who gave Abdul Ghapper (detainee) the weapons training. I never seen him have weapons or military training.

Q. You were at the camp from July to about October, November?

A. It is possible, when the first bomb dropped at our camp we left.

Q. Where were you going when you left the camp?

A. We didn't know the road so we ran into the mountains. We stayed there for a while. We were waiting for someone to help us. We stayed in the mountains until we saw some people going to Pakistan, so we followed them to Pakistan.

Q. Did Abdul Ghapper (Detainee) go with you?

A. Yes, there were 18 people with us.

Q. How long were you in Pakistan before you were turned over to American forces?

A. We arrived in Pakistan. The people of the tribe came to us they welcomed us. They fed us. We stayed there for two days. Then they promised that they would take care of us; it was a nice place and not to worry about it. They took us to a mosque. Then they turned us over to the Pakistan police. We stayed in prison for 12 or 13 days. Then the U.S. interrogated us.

Q. Do you consider the place you were staying in Afghanistan a training camp?

A. I didn't look at the place as a training camp, but I was expecting the place to be a big training camp. When I got there it was little it was located by a mountain. You can barely run to exercise.

UNCLASSIFIED//FOUO

Q. Did you have to protect yourself from the Northern Alliances?

A. No, I didn't do anything to protect my life from the Northern alliance or the U.S. forces. Then, when the bombing started, we decided this fight had nothing to do with us. We had our enemies and so we ran into Pakistan.

Q. Do you know who supported the camp you stayed in?

A. I don't know who supported the camp.

Q. How many months were you at the camp?

A. Approximately 3 months. I used to know the numbers. It has been 3 years; I forgot the numbers.

Tribunal President: Abdul you have the right to ask the witness any questions.

Detainee: What I had to ask was talked about already.

Tribunal President: Mohammad do you have anything else you would like to add?

Witness: I want to clear one thing. A lot of Uighur went to that place because we have no chance to use weapons or learn how to read Koran in our own country. We would like to take advantage of the chance that was given to us to train so that, in the future, if something happened, we would go fight against the Chinese government. We have nothing to do with the Taliban or Arabs. We have nothing to do with the U.S. government or coalition forces. We never thought about fighting with the Americans. I want you to understand what our goal is: just to fight against the Chinese government. If there is nothing happening in the future, we would like to stay where ever, abroad, to do our business.

Tribunal President: Ok.

The Personal Representative called the witness, Abdulahat , Emam, ISN

Tribunal President: is your name Eman?

Witness: Yes

Tribunal President: You are here to act as a witness for Abdul Gaffer (Detainee). I want to make sure that you understand this is not your tribunal.

The Witness did not want to take the Muslim oath.

The Personal Representative and the Recorder had no questions.

UNCLASSIFIED//FOUO

Tribunal Members' questions

Q. Eman when did you meet Abdul Gappher?

A. When I arrived to Afghanistan.

Q. Do you remember when? What month? What year?

A. When I arrived at that place in August 2001. When I arrived there he was there.

Q. When you say that place you mean the training area?

A. Yes.

Q. What did you see Abdul Gappher do at the camp? What was his responsibility?

A. I didn't see him individually, but we all did jobs together.

Q. What kind of jobs?

A. We brought stones from the mountains. We took them to camp to build the kitchens.

Q. Who else was at the camp other than Uighurs?

A. No one, only Uighurs.

Q. Ever any military training with weapons or guns?

A. No.

Q. To follow up on that, you said there was no military training at that camp?

A. Are you saying just individual or all the people?

Q. All the people?

A. No.

Q. Do you know what the Islamic Movement of Uzbekistan is?

A. I do not.

Q. Were there any members of that camp there?

A. No. There was only one nationality at the camp.

Q. Did you come across any members of this group when you moved into Pakistan?

A. No.

Q. Did you meet any of the members of this organization before you got to Afghanistan?

A. No.

Tribunal President's questions.

Q. Where was the camp located?

A. The camp was just outside Jalalabad, it was located in the foothills of the mountains, by some housing area.

UNCLASSIFIED//FOUO

Q. Do you know who managed the camp?

A. Abdul Hakh.

Q. Do you know who supported the camp?

A. I'm not sure. What do you mean by "supporting"?

Q. Who paid for the training? All the food? The housing you were building?

A. I don't know who did that.

Q. Did you have to pay to attend the training?

A. No.

Q. Did you travel with Abdul when you were ready to leave the camp?

A. Yes.

Q. Why did you leave the camp?

A. We didn't have any food and we were forced to leave that place.

Q. When did you leave the camp?

A. I don't remember exactly. I do remember it was the end of Ramadan.

Q. Did you see Abdul receive any injuries while you were leaving the camp?

A. I never saw that he had been injured.

Q. Where did you go after you left the camp?

A. Pakistan.

Q. Did you have to go through any mountains like the Tora Bora Mountains?

A. I don't know what mountains they were. We passed through the mountains. I don't know what Tora Bora is.

Q. Once you reached Pakistan what happened?

A. When we passed into Pakistan, the local people turned us into the Pakistan Police.

Q. Did any of the people traveling with you have weapons?

A. I didn't see any.

Q. Did you see or hear any bombing in the region you were in?

A. Yes, we heard some bombing. We didn't see it.

Q. Did you have to protect yourself while you were at the camp or leaving the camp into Pakistan?

A. Yes, we were hiding inside the mountains because we were afraid of the bombing.

UNCLASSIFIED//FOUO

Q. Did you have to have any weapons while you were there in the mountains?

A. No.

Witness made a comment to the Detainee.

Tribunal President: The witness is not authorized to talk directly to the detainee.

Translator: (Witness) They brought me here as a witness, but they are asking me a lot of questions.

Tribunal President: We needed to clarify to make sure we were hearing the same story.

Tribunal President: Abdul, would you like to ask the witness any questions?

Detainee: I wanted to clarify one thing; the witness didn't say one thing clear. Because we left our camp when the bomb started. Then we ran into the mountains.

Q. Eman(witness), is that true, do you agree with that?

A. That is true.

Personal Representative: Eman was talking about training with weapons, did you see individuals training with them?

Witness: No

No further questions were asked of the witness.

The Tribunal President confirms that the detainee had no further evidence or witnesses to present to the Tribunal. The Tribunal President explains the remainder of the Tribunal process to the detainee and adjourns the Tribunal.

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