

Summarized Unsworn Detainee Statement

The Tribunal President began reading the Tribunal instructions to the Detainee. Upon the reading the instructions, the Detainee stated the following:

Detainee: All the information that is classified and all the information that's unclassified, I don't really understand.

Tribunal President: Unfortunately we only have two categories of information; unclassified information we can show you, and classified will be kept secret for national security reasons.

Detainee: Because they've given our file to the Chinese government, then there's no more secret or classified information.

Tribunal President: I have no knowledge of that.

The Tribunal President then went on to explain the rest of the Tribunal process, and confirmed the Detainee had requested a Witness. The Recorder then summarized the nature of the evidence in full to the Tribunal. In addition, the Detainee elected to make a statement, but did not elect to take the Muslim oath, and stated the following:

Detainee: Taking the oath is not necessary; since the beginning I have told the truth.

At this time, the Personal Representative presented each item of the unclassified summary individually, to include notes gathered from his initial meeting with the Detainee.

Personal Representative: (addressing the Detainee) I will read each item as we discussed; I will read my notes and you may add more. Regarding (3.a-1), *In 2001, the Detainee traveled from Kyrgyzstan, through Pakistan, then on to Jalalabad, Afghanistan to attend a training camp.* He stated he "traveled around July 2001 before the World Trade Center incident. He says he stayed in Afghanistan for three months; how could I speak the language or associate with the Taliban. I don't know what they look like. I went to the training camp to learn to fight the Chinese; to get our independence from China. I did not know that Taliban gave them the place, only that the Uighurs were there. He said "they did not want a lot of people to know about the camps so that the Chinese would not send a spy there. That's why only Uighur people are in that place. We did not even know that area was called Tora Bora. The camp was made up of 4-5 houses and one mosque." That actually covers the response for # 1 and # 2. Would you like to add more?

Detainee: I want you to read all of it, and then I'll read my statement.

Personal Representative: *(3.a-3) The Detainee was at the camp for three months and spent two months learning the Koran and one month shooting an AK-47. He (the Detainee) said "that was true, because in China there is no school to study to learn the Koran. I had to learn the Koran. The Chinese never let us learn. We have no religious freedom. Two months I learned the Koran, and one month on the AK-47, and nothing else. I never saw any other weapons. I never trained at the camp to fight the United States or coalition."* Regarding the fourth one, *(3.a-4) After the U.S. bombing started, the Detainee and the other Uighurs went to the caves and stayed there until the Northern Alliance came to the camps. He said "we ran into the caves, and ran out of food. We did not know any Northern Alliance people. After two months of moving from cave to cave, then we heard from Afghan people that the Northern Alliance was coming to the Tora Bora region. We left to Pakistan. We did not know how to get back to Jalalabad. We waited two months, then a Uighur from Jalalabad came up to the camp. We heard some Arabs were going to Pakistan."* And now we'll go into the fifth one, *(3.a-5) An Afghani man sent the Detainee with approximately one hundred Arabs and twenty Uighurs to Pakistan, where they were captured. He stated, "When we heard the Arabs were going to Pakistan, we followed them there. I was not with the Arabs when I traveled, only with the Uighur people. We only followed from a distance, not with them. It was at a village in Pakistan that we were treated as guests. Then in the middle of the night, the villagers told us they would take us to another place. We walked 2-3 hours away to a mosque. The tribe people tricked us and turned us over to the Pakistani authorities."* Now that concludes my notes, you may want to say more.

Detainee: I will explain the accusations. I will explain the association with the Taliban, then I will read one by one. I want to remind you that you are blaming me that I had an association with the Taliban, because these 5 pieces of evidence do not support that. I took those actions against the Chinese government. Secondly, we all 18 were arrested in the same place. You captured all 18 together, then why are you accusing all 18 people of different kinds of accusations; how did you do that? We were captured at the same place and time. You can see you have no clear evidence for those accusations. Here is an example: I was training in the training camp to fight against the U.S. or coalition forces or for the Taliban or al Qaida? All those accusations do not apply to the Uighur people. We do not involve those kinds of activities because we have nothing against the U.S. We do not want to involve those kinds of activities. We have enough problems. It is important to us to try to get our country's independence. The time I spent three months in Afghanistan, how did I associate with the Taliban? I was not the leader of the camp or Uighur people. The reason I went to Afghanistan was to try to get my country's freedom. The U.S. has no clear evidence I associated with the Taliban. We Uighurs have more than 1 billion enemies, that is enough for us. Why should we have more problems? I will explain evidence # 1. I traveled to go to the training camp in 2001. I traveled from China and all those places with my visa and passport. It was legal. You cannot accuse me of traveling illegally. The reason I traveled from Kyrgyzstan to Pakistan because my goal was to try to go to Turkey. I didn't have enough money to travel. I was going to travel by car. I couldn't get a Pakistani visa to travel to Iran. I was given advice to go to Afghanistan to stay a couple months, then I would be ready to go to Pakistan to travel.

The Iran government wouldn't give me a visa to stay in Pakistan legally; if you try to do it legally, it takes 2-3 months to get the legal documents. Before the Uighur people went to Afghanistan, the host person in Pakistan, by the name of Abu Salam, told me that people were training there, and that it could be useful. That is the reason I went to Afghanistan to get the training. Someone told me that the Uighur people are getting training for a future fight against the Chinese government. The reason I tried to go to Turkey is because there was a famous leather manufacturer there. It was formed by Uighur people. In my country, I was working that same kind of job. My profession in the market was a fast way to make money. That is the reason I tried to go to Turkey. And that's the reason I tried, but instead I went to Afghanistan, and now I'm captured and came here. About # 2, in the past I told them many times that the place was not given to fight against the U.S., but the Chinese government. I told the interrogators the place might have been given by the Taliban to the Uighurs, but that doesn't prove that I associated with the Taliban. Also, Tora Bora doesn't mean it was called this name. It does not make any sense that a place with a couple houses and a mosque is called Tora Bora. The place was not located inside a mountain. The interrogator stated we stayed at Tora Bora. About # 3, I studied for 2 months on the Koran. This is funny to me. How can you blame me? America is a democratic country with religious freedom. How can you blame us for learning the Koran; how can I fight against the U.S. by learning the Koran? Our country does not give us a chance to learn the Koran. As a Muslim person trying to learn the Koran, is that a crime? If it is a crime, then why are you providing us this crime at Guantanamo Bay. If the U.S. reads the Koran and it is a crime, what is the difference between the U.S. and China? In the last 50 years, we have not had any chance of learning any religion and have been discriminated against by the Chinese government. That's the one reason I left the country was to learn the Koran. If the U.S. says it is a crime, then I don't know what is going on this world? If people try to teach the Koran, they are executed by the Chinese government. If the U.S. says learning the Koran is a crime, that gives the Chinese more chances to discriminate and kill more people. I've been told many times that I trained on the AK-47. I trained against the Chinese government. I want to be free because 100,000 people are being used like slaves. I want them to be free so they can do what they deserve. Those 100,000 people are in prison in my country. Three times a week we eat meat here, but in China, they might have meat three times per year. They eat goats and are hit by the Chinese. Is it a crime to want to save people from torture? Why isn't the U.S. freeing people tortured by the Chinese government? The U.S. knows better than to allow those people to be tortured. About # 4, we moved to that place the same day the U.S. started bombing. All the way into the mountains, close to some village, we hid in that place. Before the Northern Alliance arrived to the area, we Uighurs did not see them. They are saying we stayed at a place the Northern Alliance arrived; it was not true. In interrogation, I explained this very clearly. We didn't know a way to get out, and had to wait for other Uighurs to come and help us. I didn't fight against anybody. When the bombs came, there was nothing left of the camp, so we went into the mountains. There was no sense in staying in the camp until the Northern Alliance arrived. What time is it? (it was currently around 1700 hours) I want to break I am fasting today, that is why. I will do it at 5:20 p.m. (The Detainee then continued with his statement.) About # 5, we are 18 people in Cuba right now. We

were in Kandahar counted at 18 people. If there's 20 people, then where did our other 2 people go? Where are our other 2 Uighurjs? It is true that 18 of us went into Pakistan, but we were not with the Arabs. In my traveling, I saw Arabs, that is true, but we were not with them. Because we didn't know the way into Pakistan, we had to follow the Arabs. We were following the Arabs, but it doesn't mean we were with them. I did not see 100 Arabs on the way. The Pakistan tribe people collected all the Arabs to collect them for the mosque. I saw those 100 people inside the mosque in Pakistan, not on my way to Pakistan. I have no idea where they were captured or arrested. All the 5 pieces of evidence are done, now I would like to make some more statements. We Uighurs went to Afghanistan before America went to Afghanistan. If we went there after, then we would be an enemy of the U.S. But we stayed at the place before the U.S. arrived there. The reason we stayed was to learn to fight against the U.S. government. When the U.S. arrived, we left. We had one goal against the Chinese government, but we left because we have nothing to do with you guys. This explains we are not the enemy against the U.S. government. I don't tell anything in interrogation, but they are still saying these accusations. We never had any problems with the U.S. or American people. If history is true, how can we have something against the U.S. Those accusations are funny because I explained to interrogators was to get training for freedom from Chinese. America is treating a person like me this way is not fair. They told whole world they were for human rights and democracy, and America is now breaking their own policy; treating Uighurs like this does not fit justice. This does not fit American justice. Over the last 50 years, we've been suffering at Chinese hands like animals. The interrogators told us that they are against the Chinese government as well. They wanted us to tell them what kind of torture we had. We told the interrogators many Chinese secrets. They told us we should give them more information, we may help you against your country, so we trusted the Americans, and we gave them the information. That's the reason we trusted the American government. And they took all the information from us, then told us we were against the U.S. I want to take all this stuff and find out about my case and do it fairly. That's the reason I had the trust to the U.S. in the past. I read some article or story about the U.S. in my country. That story I read is that the government was going to destroy an old building, but when they went on the roof, they found a little bird having a baby. Then they said those animals can wait til the young birds grow up, then they let them live. That is why I had big hopes about the U.S. When we were in Pakistan, we would tell other Uighurs to go to America because America would give us a place or station to work to get our freedom back. Our hope was the U.S. would give us freedom. I would like to remind you they say I'm an enemy combatant. How can I be an enemy combatant? In my knowledge, an enemy combatant is someone in a battle with a rifle in your hands captured from there; or a person retreating from his position. But I was captured in Pakistan without any weapons and arrested by local people. How can I be detained as an enemy combatant? If you accuse me, you should have real evidence. If you blame me this kind of nonsense, then it will drop the U.S.'s face down. This blame against people you can only find in China. If U.S. tried to make me enemy with this nonsense, then what is the difference between the U.S. and China? The Chinese used to make all kinds of blame against the Uighurs. They would take 100 people to court and execute those people. The U.S. accepted I went to that place to train to fight against the Chinese

government, then they're blaming me for being an enemy of the U.S. How can you understand that? I am telling you this because I'm not against the U.S. government or America. I want to tell the truth. In the beginning they said I was not an enemy, then they made me an enemy. Also, we heard a lot of good things about the U.S. in the past about democracy and human rights. Now, they treat us differently, and I don't understand that. Over the last 3 years, we are innocent and we arrested you wrongly, you will be freed and given political asylum. If they had clear evidence we were captured in battle or had something against the U.S. government, then they could tell us we were criminals or enemy combatants. Also we are telling you everything. We were captured in Pakistan and are not against them. There is no evidence to prove we are the enemy or fought against them. I still believe U.S. will take care of this situation in here fairly; I still believe that. They have been hurt really bad, and we understand they (U.S.) are hurt and angry. Also, Kyrgyzstan was hurt for the past 50 years, and I want you to think about that as well. After U.S. knew where we were stationed, and we heard on the radio they were there to help. People heard on the radio all this stuff about the country's independence. After people started waking up to get our country's independence, some people went to the U.S., and others went to Turkey. Some with financial problems didn't have ways to get to other countries, wound up in Afghanistan. The U.S. was to help young Uighur people, and now they are saying we are the enemy. People have the knowledge in Kyrgyzstan that the U.S. was going to help us get our independence back. If those Uighurs here, the U.S. government didn't free us, but kept us in prison. If Uighurs hear that we are in prison, don't you think they will know that the claims are false? Uighurs will lose hope. Last, I want you to find out all the truth on me, and for all Uighurs' cases to be handled fairly and correctly.

Tribunal President: Let me just ask you one question. Your concern about the time was a concern about missing dinner?

Detainee: If you give me water at 5:20, that's enough.

Tribunal President: We probably have some questions for you; if we could finish that first, and take a break when we bring the Witness in, we can arrange that for you.

Detainee: If I break my fasting, then if it's OK, could I know how many questions you will ask?

Tribunal President: Let's just take a recess, and let the guards help him.

The Tribunal President took a short recess to allow the Detainee to have a glass of water, and shortly reconvened.

Tribunal President: (to the Personal Representative) Do you have any questions of the Detainee?

Personal Representative: Yes, ma'am. Did you ever have weapons in the mountains when you fled, or fight against the Northern Alliance?

Detainee: I had no weapons personally. The place in the mountains was about 2-3 hours away from the fighting. It was very close to Pakistan. How can we carry weapons against the U.S. or coalition forces because we walked a day and a half; we ended up in Pakistan about 3-4 hours away from the battle.

The Tribunal President then opened up the floor for questions from the Tribunal Members. The Tribunal Member questions follow.

Q: Sir, did you know if any of the other Uighurs fought against the U.S. or its coalition partners?

A: We were 18 people together. I didn't even know of anyone who fought against them. I never heard anyone say one bad word against the U.S. That proves that when we were in prison in Pakistan that I said to them -- what do you think if we say we are from Afghanistan and are Uzbek people? What do you think if we say we are from China? If we say that, we will die. No one says anything about being from China.

Q: When you were captured, I understand you didn't have a weapon; did any of the other Uighurs have a weapon?

A: No, I didn't see any of the other Uighurs have a weapon.

Q: Did you or any of the other Uighurs resist when you were captured?

A: When we went to Pakistan the local people treated us like brothers, and gave us good food and meat. Then we didn't even think it was possible they would turn us in to authorities, how can we resist or do anything? When we went to prison in Pakistan, we heard they sold us to the Pakistani authorities for \$5000 per person.

Q: Were you the member of any political party or group?

A: No.

Q: I have a few general questions about the Islamic religion. Do you feel that the whole world should be returned to Islam?

A: I read the translated version of the Koran in here and it says you cannot force people to come to Islam or any other religion. People have a choice. You cannot ask people to join; it's the person's choice.

Tribunal President's questions of Detainee

Q: Did you travel with anyone when you left China?

A: I was alone when I left China, but I was traveling with other people from Kyrgyzstan to Pakistan.

Q: So you met him in Kyrgyzstan?

A: Yes.

Q: And he is a Uighur like yourself?

A: Yes.

Q: And his purpose for traveling was the same as yours, to go to Turkey?

A: Because we were doing business with that person, we decided to go to Turkey.

Q: So your travel wasn't straight from China to Pakistan, you stayed in Kyrgyzstan for a while?

A: We stayed in Kyrgyzstan for a year and a half.

Q: Did you pay for the travel yourself?

A: Yes.

Q: You said you were running low on funds and would travel by car. How did you pay for your travel from Pakistan to Afghanistan?

A: The person I met in Pakistan, the host, gave me money for the driver to take me to the Afghan border, then they dropped me off at the border.

Q: How did you get from the border to the camp?

A: I was told to pass the border, then take the car to Jalalabad which is two hours away. Then go to station and I will notify those Uighurs to pick you up.

Q: So it was Uighurs that picked you up?

A: Yes.

Q: Did the Uighurs, during your time at the camp, ask for any monetary contributions?

A: Probably that person from Pakistan, the people in Afghanistan that we don't have any money. Probably those people in Afghanistan know, and they didn't ask for anything.

The Tribunal President then thanked the Detainee for participating, and asked if the Detainee had anything else to say.

Detainee: All I want you to do is check all of my file, and compare what I said today and do it fairly. In those 5 pieces of evidence, there are two that do not match. In interrogation, it may have been mistranslated, and they probably came out with fake evidence to make it match.

At this time, the Tribunal President explained the procedure for Witnesses to the Detainee, and verified the Detainee had no more questions. After a brief recess, the Witness was brought in and administered the Muslim oath by the Recorder.

Tribunal President: (to the Detainee) Do you have any questions for the Witness?

Detainee: I do not have any questions; you and the members may ask the questions.

Personal Representative questions of Witness

Q: Was there any al Qaida or Taliban at the camp when you two were there?

A: No, I didn't see any of those people; only Uighur people.

Q: When you fled the bombings, did you flee with only Uighur people?

A: All of us Uighur people left the camp together.

Q: When you left the mountains to Pakistan, who did you travel with?

A: We traveled together waiting for a way to leave; we saw a couple people traveling. We asked them where they were going and they said Pakistan. Then we followed them, but we're not close to those people.

Tribunal Member questions of Witness

Q: Do you know the Detainee, this gentleman, for the record?

A: Yes. We did business together and went to Afghanistan together.

Q: Before you went to Afghanistan, how long had you known him?

A: More than a year that time when we were together.

Q: So you first met him where?

A: In Kyrgyzstan.

Q: And what were the circumstances you met in Kyrgyzstan?

A: There was a market only for Uighur people in Kyrgyzstan to take stuff they make from China. Then I saw this person, and he was from the same city (Walja), and I met him at the market for business.

Q: Is the Detainee a member of any political party or groups that you know of?

A: No. We were in the same place together; there was no group or party.

Q: Do you know of any other Uighurs that fought against the U.S. or the Northern Alliance?

A: I know of no other Uighurs that fought against the U.S. or the U.S. government.

Q: When you and the Detainee were captured, did any of the other Uighurs have any weapons at all?

A: No, no weapons. We were empty-handed.

Q: How do you, the Detainee and the other Uighurs feel about the United States?

A: When I left my country I had no idea that the U.S. faced this attack. When I was at home, as a kid, I was interested in America because I heard some people say that the U.S. was the only country that was powerful and could face the Chinese. I was hoping the U.S. would help our country to free our people. When I came here, the interrogators told us they would help the Uighurs. I still believe the U.S. will help us.

Q: One more question; do you feel the world should be returned to Islam?

A: No, I don't think so. People have a right to choose any religion they want. I don't think you can force people to be one religion, or to join my religion.

Tribunal Presiden't questions of Witness

Q: Where were you and the Detainee headed for when you left Kyrgyzstan?

A: We headed to Turkey because we were to going to travel through by car to Iran.

Q: And your purpose of going to Turkey was what?

A: In Kyrgyzstan, we can only do business at this special market for Uighur people; if we go somewhere further than that market police will ask us to pay more money on that stuff. Also, Kyrgyzstan is a country that doesn't really treat us right, and business wasn't going well. Then we decided Turkey would give us more freedom, so we decided to go to Turkey.

Q: Why did you detour into Afghanistan?

A: We went to Pakistan and Afghanistan because they couldn't get us visas. The embassy needed special documentation to stay in Pakistan. That person, the guy in Pakistan, told us it would be more money. He said if you stay here it would be more money for food and living. If you go to Afghanistan, there is a place where they won't ask for money for food or housing. He also said I could learn the Koran and train with a weapon. He said when he finished with the paperwork to go from Iran to Turkey, then I will let you know then you can come back to Pakistan and travel.

Q: So you traveled to the camp; what did you learn there?

A: The place was bad and didn't allow us training right away. All the buildings were in bad shape so we fixed all the stuff. Then I learned the Koran for two months, and then trained on the Kalashnikov rifle.


Q: Did you ever ask anybody who funded the camp?

A: I didn't ask. I had nothing to do with that.

The Tribunal President then took a brief recess to allow the Witness to be removed from the room. When the Tribunal returned, the Tribunal President read the remainder of the Tribunal process to the Detainee, and 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, United States Army
Tribunal President