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Summarized Unsworn Detainee Statement

Tribunal President: Mohammed Abd Al Al Qadir, you may now present any evidence you have to the tribunal and you have the assistance of your personal representative in doing so.

Detainee: They're all lies. I've never said in the investigation that I was a member in al Qaida or training in the Khalden training camp. They were lies. I have never told the investigators that.

Personal Representative: We are going to go through page one and after I read it you can make a statement like we talked about.

Detainee: OK.

Tribunal President: Before you make any statements, would you like to do so under oath?

Detainee: What I said before?

Tribunal President: What you're going to say, would you like to take an oath?

Detainee: Not a problem, I can say it.

Tribunal President: You would like to take an oath?

Detainee: My Personal Representative told me the points and I gave him some replies and some statements to present for me and he can present it for me.

Tribunal President: You told him those things, would you still like at this point to take an oath, so that any questions we ask you or things we ask you to clarify will be under oath?

Detainee: I don't have a problem, I will say it. Is it the same things we talked about last week?

Personal Representative: What you are taking an oath for is that you are swearing the truth, what we talked about, what I am going to say for you, and what you are going to be allowed to say after is the truth.

Recorder administers the Muslim oath to the Detainee. The Personal Representative reads sections from the Unclassified Summary (Ex. R-1) and then provides responses to each as previously told to him by the Detainee.

3a1. Originally from Algeria, the Detainee stated that he entered Afghanistan in June 2001 after residing in London, United Kingdom.

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Personal Representative: It's true, he was in jail in London for two months. They released him until trial date. He had to go to the police station to check in daily. He knew a friend from Germany who was in London named Mustafah and stayed with him. He escaped from London because he was afraid to be sent back to Algeria or back to prison in London. Would you like to add anything?

Detainee: I got released temporarily from prison and kept going back and forth to court to find out a court date.

3a2. The Detainee's route of travel took him through Islamabad and Peshawar and then onto Jalalabad, Afghanistan.

Personal Representative: True he went to Jalalabad so he would not go to jail or back to Algeria. He went to Afghanistan as an immigrant. Anything else you want to add to that?

Detainee: I was living alone in Jalalabad.

3a3. The Detainee was identified by highly placed al Qaida operative as having trained at the Khalden Camp and as having resided at a guesthouse in Jalalabad, Afghanistan.

3a4. The Detainee also admitted that he had been trained at the Khalden Camp.

Detainee: Is this what I told you or one of the accusations?

Personal Representative: This is what the accusation is. False, never attended the Khalden Camp, never stayed in a guesthouse in Jalalabad. I rented a house for 6 months in Jalalabad.

Detainee: That is correct.

Personal Representative: Do you want to add anything?

Detainee: I'm not al Qaida and I did not train in that camp.

Personal Representative: And that answer is 3a4. That says he did not train at the Khalden Camp. He said I never said such a thing to anyone, I never had training at that camp.

Detainee: Correct, I said that.

Personal Representative: Anything else that you would like to add.

Detainee: I did not train and that's all.

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3a5. The Detainee is a member of the Jemaah Islamiah Muqatilah which is closely connected to the Salafist Group for Call and Combat.

Personal Representative: He said this is not true. He has no relationship with any movement. Would you like to add anything else?

Detainee: If I was part of Al Qaida or that Islamic group, I would have been arrested by Algeria first. And second, I would have been arrested by Germany where I stayed for 3 years in a detention facility. I was 7 years in Germany, why wouldn't Germany arrest me if I was part of al Qaida, why was I able to get a Visa?

3a6. The Salafist Group for Call and Combat is an Algerian terrorist group operating primarily throughout Europe, Africa, and the Middle East, but with known ties to al Qaida.

Personal Representative: He stated that he knows nothing about it and he has no relationship.

Detainee: I have no connection with that group and if I did, I would have gone to Algeria, I would not have gone to Afghanistan.

3a7. The Detainee fled Jalalabad, Afghanistan during the advance of the Northern Alliance.

3a8. The Detainee entered Pakistan, was arrested by Pakistani authorities and was later transferred to the custody of U.S. forces.

Personal Representative: He said that he never fled, he was sick so he never left home. The owner of the house said the Northern Alliance was coming and he needs to leave. The owner said he would help him to another house where there were other Arabs, who he said would help them.

Detainee: They told me to come on, let's move. I had malaria. I didn't have the will or the energy to go with them. He said that's it, you have to leave. So I took my things and left.

Personal Representative: He also said they wanted to get their children and families out first so he had to wait ten or more days.

Detainee: 10 to 15 days correct.

Personal Representative: They took to the road and walked 2 to 3 days and reached people on the border of Pakistan. This also clarifies number 8. At the border of Pakistan,

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the people welcomed but also separated him because he was sick. And he was asked to wait until they could help. But he was tricked and given over to the Pakistani police.

Detainee: They told me you are very ill, you're sick. They put me in a house by myself. After that they gave me to their forces.

Personal Representative: When he was tricked, he had no weapons when he was captured. His entire intention was to go to be an immigrant.

Detainee: In Afghanistan?

Personal Representative: (reading from notes) Entire intention was to immigrate, make money, and find a wife.

Detainee: Yes, I wanted to get married and get stable somewhere.

Personal Representative: Would you like to add anything else?

Detainee: When I was arrested in Khandahar, they told me I had malaria. I was sick; I had malaria. In Khandahar they took me, a medical team checked me and they found out that yes I did have malaria, and then they gave me some treatment by the American forces.

Personal Representative: Is that the end of your statement?

Detainee: Not even once did I mention I was trained at Khalden Camp. I never said that I trained. I refused to train there and the interrogators made those lies against me.

Tribunal President: Mohammed Abd Al Al Qadir, does that conclude your statement?

Detainee: If I had really done those things, Germany and Great Britain would have had a list of things that I had done. They don't have anything against me. They would have given you information about me if I had done anything. But I have never done any of those accusations that you mentioned before.

Tribunal President: Would you be willing to answer some of our questions?

Detainee: No problem.

Personal Representative has no questions for Detainee. Recorder has no questions for the Detainee. Tribunal Member's begin questioning of Detainee.

Tribunal Member: Please explain why you were in prison in the United Kingdom.

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Detainee: I went to Great Britain, I was new there. I was looking for a job. I went to restaurants and hotels looking for a job. I told them I knew German, they told me they don't need someone who speaks German. They need someone who speaks English. I would tell people if they found any kind of job, let me know because I want to work. One day I was sitting in a club, this person came up to me asking if I could return some clothing to the store for money. I went to that store and took the clothes to the store with the receipt the man gave me. He told me "When they ask me why I'm returning them, tell them I didn't like them, I changed my mind." I told the man at the store "I changed my mind", I gave him the receipt and he gave me the money back. On my way out, the police were waiting for me. I was detained for 2 months. After that I was released and they made me come to the court office to sign every day because they told me I had to be present there every day and sign. Then when my court date came, I went there, they asked me if I had a lawyer. I told them I don't need a lawyer. After I said I didn't have a lawyer, they issued a bond for me. A friend paid the bond for me. They told me the person who paid the bond, had to be there to sign for my release. When I called the person. He said "I can't come to the jail and be there for you all the time, I live about 90 to 100 kilometers away from the court so I can not come there every time for you." So I told him "Do what you have to do I want to go." That was what happened.

Tribunal Member: Then you left England, you escaped England?

Detainee: I remained there for about 2 months. I was afraid they would send me back to Algeria. My father called me, I had served 2 years in the Algerian Army, my father told me that the Algerian government has requested me to go back to the military to serve some more. They extended my service time. The situation in Algeria was very bad and I didn't want to go to Algeria.

Tribunal Member: Did the British authorities take away your passport?

Detainee: No, I didn't have a passport.

Tribunal Member: How did you leave England?

Detainee: I bought a passport in Italy. When I was in Italy, I told the interrogators I purchased a passport in Italy. Arabic-Algerian-French Passport.

Tribunal Member: Do you know whom you purchased the passport from?

Detainee: I don't know, I was new in Italy. I just paid him the money and gave him my picture. I don't know the person.

Tribunal Member: How did you pay for your travel?

Detainee: I had money, I used to sell drugs in Germany.

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Tribunal Member: How did you support yourself when you lived in Jalalabad for the 5 or 6 months you were there?

Detainee: In interrogation, I used to sell prayer tapes. That's how I made money. I also worked with someone in produce.

Tribunal Member: You said that you refused to train at the Khalden Camp. Who asked you to train there?

Detainee: I have never trained. Even if I were asked to train I would never train. You can go look for evidence. I never trained there. How could someone accuse me of training at Khalden Camp if they don't have any evidence against me? I never trained there. You can go ask the people that were there and find out for sure I never trained there. I never went there. There is no evidence against me that I trained there.

Tribunal Member: Did anyone ever ask you to train there?

Detainee: The interrogators would take me for about 2 weeks and interview him and ask "Did you train? Did you train at Khalden Camp? Did you train there?" I would tell them no. They would force me. They would say, "Just say you would trained at Khalden Camp nothing will happen to you, just say you were trained in Khalden Camp." And I told them no I did not train in Khalden Camp. When I was in military in Algeria I was trained in the Kalishnikov, but I never trained in Khalden Camp. So they forced me. They said if I say that, I will not be punished for it. But I said "No." Why would I say something that I did not do?

Tribunal Member: I would like to get a rough timeline of the time he was in Algeria, England, and in Germany.

Detainee: 23 ½ years in Algeria, then officially I had a passport and I traveled from Algeria to Italy and I stayed a month and a half in Italy. I wanted to go back to Algeria, it was difficult to get a passport to Germany, and they would not give me a visa to Germany. I wanted to go there because all my friends were in Germany. They gave me a visa to Italy. I took a train the France border and walked into France, then I took another train to the German-French border and I took a bus to Germany. I applied as a refugee there. At the train station, I went to the immigration office and they took my fingerprints and filled out some papers. Then the French took me back to the French office. They told me, if I stay at the French border for too long you will get arrested. Where do you want to go. Do you want to go to France or do you want to go to Germany? I said I want to go to Germany because all my friends are there. So they sent me back to the German office and they asked me where I want to go and I said Frankfurt, because my friends are there. One more time they asked do I want to go to Italy and I said "No, I want to go to Germany." I took a train to Frankfurt from there.

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Tribunal Member: How long were you in Frankfurt and when and why did you go to England?

Detainee: 1993-1999 or 2000. I wanted to stay in Germany but Germany wanted me to go back to Algeria. I don't want to go to Algeria. Because of my record for stealing, they told me that I could not stay there and they wanted me to go to the Algerian embassy. I went to the embassy and they said "Ok, you don't have to go to Algeria, just sign those papers and you don't have to go." So I signed, I was detained for 3 months, and then I was released. I was staying in Frankfurt at the time. They gave me a green paper, it was like a permit to stay there. In 3 months, they would renew it for me. When I was in the detention facility, they took it from me. For a short period of time I did not have that paper. So I went to a lawyer so they would give me back my permit. But the lawyer told me if you get arrested they will send you back to Algeria so you have to leave this country. So in Italy, they used to make immigration papers, so I went to Italy. When I went to Italy, I found out they no longer make those papers. Living in Italy was difficult. I worked in produce. I cannot work that kind of job. It's very difficult. I am a sick person, not very healthy. So I bought a passport and went to England.

Tribunal Member: How long were you in England?

Detainee: About 9 to 10 months.

Tribunal Member: Did you attend any mosques in England?

Detainee: Yes I went to pray, the mosques are open to any Muslim who wants to pray.

Tribunal Member: Namely, were you ever at the Baker Street or Kingsbury mosque?

Detainee: I prayed at Finsbury and I prayed at Baker Street. I would go next door to the library that sold the prayer tapes. It would be prayer time and I would go next door to the mosque and pray because it was prayer time. It's not forbidden to go to a mosque, it's a normal thing. It's official; it's open to anyone who wants to pray.

Tribunal President: It appears you are still rather ill. How did you receive the injury to your arm and I'm assuming your leg?

Detainee: How did it happen or am I still able to walk?

Tribunal President: What is the nature of the injury?

Detainee: The guard closed the gate on my hand and I went to the doctor and the doctor put that on my hand.

Tribunal President: I want to thank you for your participation in this tribunal today. Mohammed Abd Al Qadr, do you have any other evidence to present to this tribunal?

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Detainee: Because I am detained, I cannot get you any more evidence. But if you go ask the British, the Germans, the Italians, I have never done anything to harm any Americans there. I don't want to go back to Algeria. I do not want to go back to Algeria. There are a lot of Americans in Germany. I have never ever tried to harm any Americans or anyone. I have never done anything to harm anybody. Is it not official being in Afghanistan? When I was in Afghanistan I saw a lot of Americans, a lot of British, normally they would pass by me and I never tried to harm anyone. It was like normal being there. Traveling to France, to Italy, to Germany, I traveled to Afghanistan too because I know they would not make me go back to Algeria. I don't not want to go back to Algeria because I know if I go back to Algeria, they will give me a weapon, they will tell me to go fight and I don't want to put myself in danger, I don't want to be killed. Would you want to be killed?

Tribunal President: We appreciate your comments and we will take them in to consideration.

Personal Representative has no further witnesses or comments.

Tribunal President: All unclassified evidence having been provided to this tribunal, this concludes the open session of 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, U.S. Army
Tribunal President