

Summarized Detainee Sworn Statement

The Tribunal President read the Hearing Instructions to the Detainee and confirmed that the Detainee understood and had no questions.

The Personal Representative presented the Detainee Election Form (Exhibit D-A) to the Tribunal.

The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.

The Recorder presented Exhibits R-1 thru R-2 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 Tribunal President, referring to the Detainee Election Form, made the following statement:

Tribunal President: Salih Uyar you may now present any evidence you have to the Tribunal. Your personal Representative may assist you if you wish. From the Detainee Election Form the Personal Representative provided me I understand that you wish to make a statement. Is that true?

Detainee: Yes.

Tribunal President: I also noticed from the Detainee Election Form that you wish to make your statement under oath. Is that also correct?

Detainee: First I said that I wanted to do my statement without an oath but now I changed my mind and I want to do the oath.

Tribunal President: Very well, we will honor that request. Recorder please administer the appropriate oath. For the detainee, we have a prepared Muslim oath, if that is acceptable.

Detainee: No, I want to administer my own oath.

Tribunal President: That is acceptable. Please.

The Detainee administered his own oath.

Detainee: I swear on God that I will only say the truth and nothing but the truth.

Tribunal President: Thank you very much.

The Tribunal President opened the Tribunal to the Detainee to make his statement. The Personal Representative restated the unclassified summary of evidence for the detainee to provide comments.

3.1. The detainee traveled to Afghanistan from Turkey via Iran and Pakistan in 2000.

Detainee: Yes.

3.2. The detainee lived with a known al Qaida member for two months just before the raids began in Kabul.

Detainee: Yes I did stay over there for two months and I did stay with that person; however, I do deny that that person is associated with al Qaida.

3.3. The detainee claims to have lost his passport while traveling by foot across the Pakistani border.

Detainee: Yes I did lose my passport as I was leaving Afghanistan trying to get into Pakistan.

3.4. The detainee was captured with a Casio watch; a model that has been used in bombings linked to al Qaida and radical Islamic terrorist improvised explosive devices.

Detainee: It is true that I was carrying a Casio watch, but whatever is said about that watch is not true. If it's a crime to carry this watch, your own military personnel also carry this watch too. Does that mean that they're just terrorists as well?

3.5. The detainee stated that he had been in Afghanistan for a period of 14 months, however, he could only account for seven months.

Detainee: I've explained all the months that I was there.

Tribunal President: Okay.

3.6. The detainee traveled in and out of Turkey multiple times, including multiple trips to Syria under the guise of Arabic language studies.

Detainee: Yes I did leave for Syria multiple times, and I did go to Afghanistan also to learn and write Arabic, as well to see the place. I went to the other countries in that place just to learn the Arabic language, but Afghanistan was mainly to see the place.

3.7. The detainee is a known associate of Turkish radical religious groups.

Detainee: I don't accept that either. It is just lies.

Tribunal President: Salih Uyar does that conclude your statement?

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Detainee: I would like you to repeat all the answers that I just said.

Tribunal President: I can summarize that.

Detainee: Yes.

Tribunal President: Regarding the first item, regarding traveling from Afghanistan to Turkey via Iran and Pakistan in 2000 you said that was correct, it was yes.

Detainee: Yes.

Tribunal President: The second regarding that you lived with a known al Qaida member for two months just before the raids in Kabul; you said that you did live with someone in Kabul for two months and did not acknowledge that he was an al Qaida member.

Detainee: Yes.

Tribunal President: The third item you said regarding the detainee claims to have lost his passport while traveling by foot across the Pakistan border; you said you did lose your passport as you crossed the border from Afghanistan to Pakistan.

Detainee: Yes.

Tribunal President: The fourth item that you were captured with a Casio watch, a model that has been used in bombings linked to al Qaida and radical Islamic terrorist improvised explosive devices. You did say that you had a Casio watch but did not have any knowledge of its use in bombings or improvised explosive devices. You also added a question if American soldiers also had the same watch, did they use them for such purposes.

Detainee: Yes.

Tribunal President: On the fifth item the detainee stated that he had been in Afghanistan for a period of 14 months; however, he had only accounted for seven months. Your reply was that you had accounted for all 14 months.

Detainee: Yes.

Tribunal President: On the sixth item, the detainee traveled in and out of Turkey multiple times including multiple trips to Syria under the guise of Arabic language studies. You stated that you had gone only to Afghanistan to see it, and you had traveled to other places to study Arabic.

Detainee: Yes.

Tribunal President: On the last item, that the detainee is a known associate of Turkish radical religious groups, you said you did not accept that, it was just lies.

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Detainee: Yes.

Tribunal President: This panel has not reviewed any of your file. All we know is what we have learned here today. We may be receiving and reviewing other documents later, and at this point I would just like to ask again if there is anything else that you wish to provide to the Tribunal members at this time.

Detainee: No.

Tribunal President: Okay. Personal Representative do you have any questions for the detainee?

Personal Representative: No Sir.

Tribunal President: Recorder, do you have any questions for the Detainee?

Recorder: No Sir.

Tribunal President: Does the board have any questions for the Detainee?

Tribunal Member's questions

Q. How old are you?

A. Twenty-four.

Q. What did you do in Turkey before you left, before 2000?

A. I was a student.

Q. What did you study besides Arabic?

A. It's like an open enrollment high school. It is kind of like home schooling.

Q. So when you went to Afghanistan in 2000 that was for the purpose of sightseeing?

A. Yes, I just went there to go see the country.

Q. Why did you go via Iran and Pakistan rather than directly?

A. Because I only know how to get there that way.

Q. How did you get there? What were your means of transportation?

A. I went to Iran, then to Pakistan, then to Afghanistan.

Q. Did you fly? Did you take a taxi? How did you do that?

A. Bus. They have a highway, so it's the bus.

Q. When were you apprehended?

A. I really don't know when I was apprehended.

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Q. Do you have any idea at all?

A. I don't want to say the wrong date so I really don't know when exactly.

Q. Fair enough. From the time you entered in 2000 until the time you were apprehended, were you in Afghanistan the whole time?

A. Yes.

Q. What were you doing that whole time?

A. I went there to go see the country so I didn't go just to Kabul and I was just sightseeing the whole time I was there.

Q. Is that approximately the 14 months we are talking about?

A. Yes.

Q. How did you pay for your travels?

A. I had money from my dad. I borrowed some money from him and that's how I paid it.

Q. What is your view of the government in Turkey?

A. Its good but common law is just not that good.

Q. What did you intend to do with Arabic once you had mastered it?

A. I wanted to learn Arabic not just to use it to make money, but since Islam is in Arabic, that is why I wanted to learn it.

Q. Are you a member of any groups in Turkey?

A. No.

Q. Do any of your friends belong to any groups that you know?

A. No, I don't think so.

Q. Have you ever received any training in weapons?

A. No.

Q. Were you armed when you were apprehended?

A. No I was not armed.

Q. What were the circumstances by which you lost your passport? Could you elaborate?

A. I didn't leave by any travel means; I was walking over the mountains and so I somehow dropped it.

Q. Were you traveling from Pakistan to Afghanistan when you lost your passport?

A. When I went to Afghanistan I had my passport. I was leaving Afghanistan to get into Pakistan, that's when I lost it.

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Q. How long did you study there?

A. I went to Syria a couple of times, I went there and then I came back. When I was back in Turkey I basically bought books and tried to learn it by myself.

Q. For about how long though did you study Arabic?

A. I don't remember exactly how long.

Q. How well do you speak Arabic now?

A. It's minimum. It's not bad; it's not good either.

Q. When you were apprehended, was there anyone else apprehended with you?

A. I had some Turkish people with me, traveling with me.

Q. Do you remember their names?

A. The people I was with were already here and left about a year ago.

Q. Do you remember any names?

A. Yes I do remember their names.

Q. Could you tell us their names?

A. Ibrahim.

Translator: Can I ask for the last name?

Q. Yes last name too?

A. I don't remember the last name.

Q. One last question. Before you were apprehended do you remember the last Islamic holy day or holy days?

A. Before I got caught or after?

Q. Before you got caught.

A. It was Ramadan. It was before I got caught.

Q. I have a few questions too. You lived with a friend in Kabul for a few months; can you tell us a little bit about your friend? Like what he did, what was his occupation?

A. When I was there with him, I didn't see him do anything. I don't think he had an occupation. He himself was actually a refugee from Iran and that's how we became friends.

Q. Okay, thank you. My other question was, you were leaving Afghanistan by walking to Pakistan, why were you leaving Afghanistan? What were the reasons for you leaving?

A. Because the war started so I left.

Q. Okay. You traveled there by bus; did you not have enough funds for transportation?

A. Money wasn't an issue, it's just the fact that the city was at war so there weren't any other means.

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Tribunal President: Are there any other questions from the Tribunal? (The members indicated they had no additional questions.) Salih Uyar, do you have any other evidence to present to this Tribunal?

Detainee: No.

The Tribunal President confirmed with the Personal Representative that he had no further evidence and that the Detainee had no previously approved witnesses to present to the Tribunal.

The Tribunal President explained 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.



Tribunal President

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