

Summarized Unsworn Detainee Statement/ Summarized Response to Questions by Personal Representative

The Detainee stated he would like to answer the evidence. The Detainee knows what he did and will admit to the Tribunal the things he did; however, if he did not do some of the things, he would like to explain himself to the Tribunal.

The Personal Representative assisted the Detainee in his statement by reading, line by line, the Unclassified Summary to him.

- Q. The Detainee was associated with Al Qaida and admits going to Afghanistan to join a jihad against Hindus.
- A. The Detainee stated he never said he had any association or links with Al Qaida and yes, he went to Afghanistan for jihad.
- Q. That he was recruited by Jamaat-I-Islami Organization to join the jihad.
- A. The Detainee states that is true.
- Q. That he received training at a camp outside Konduz, which consisted of physical training, long marches, and AK-47 instructions.
- A. The Detainee states he wasn't at a camp, but at a place with a group of tents. There were 2 or 3 other places with these groups of tents outside of Konduz. They did run a couple times a day and they also showed him how to fire the Kalashnikov AK-47.
- Q. Do you want to make a comment on whether there are long marches?
- A. The Detainee stated he did not receive any training on long marches.
- Q. Did you engage in hostilities against the United States or it's Coalition partners? The first was that you traveled to Dashtearche, Afghanistan with other fighters and you were armed with a Kalashnikov rifle and 1 magazine.
- A. The Detainee stated he did not fight against the U.S. or its coalition partners and he did not see them when he went to fight jihad. He stated that he did go to fight, but never had the chance. He was there for 15 days and did have training on the Kalashnikov.
- Q. He was with other fighters and may have some comments on the others he was with.

- A. The Detainee stated he did have 40 other people with him in Afghanistan, but did not know any of them. He does not know how they were trained, but they were against somebody.
- Q. And during that time, he was armed with a Kalashnikov and 1 magazine. Does he have any comments about whether that's true? Whether there was a magazine and a Kalashnikov?
- A. The Detainee stated yes, he had a Kalashnikov AK-47 and 1 magazine with him.
- Q. Admits to going to the front lines with 40 other fighters in the command of Sultan?
- A. The Detainee stated he went and stayed for 15 days and met Sultan twice. He did not know he was the commander, but someone told him that he was in town. There were "inaudible" where they have fighting conditions, but there was no chance to fight anybody. After that, they came back.
- Q. Did he have any comments on whether he went to the area and met Sultan, when those were, the order those were in?
- A. The Detainee stated that he did come, he was with other people, but he does not know why Sultan was there. Detainee never saw any fighting, so he does not know why he was there.
- Q. That he fled his position in Dashtearche and was almost immediately captured near Konduz?
- A. The Detainee stated that is true.
- Q. Did he have any comments on whether he knows for sure where the location of Konduz is?
- A. The Detainee stated he did not know where he got captured; he doesn't know how far it was from Konduz. The Village he was captured in was Moullah.
- Q. Personal Representative stated that was everything they had gone over in the notes.

Summarized Answers to Questions by Tribunal Members

- Q. The evidence given to us indicates that you originally went there to fight Hindus. Is that true?
- A. That's true.

- Q. When did you first realize there were no Hindus in Afghanistan to fight against?
- A. The Detainee stated he found out when he was captured.
- Q. Did you realize at any time that you were actually fighting against Afghans?
- A. No.
- Q. Have you ever fought against Hindus in Kashmir?
- A. No.
- Q. Do you live near Kashmir?
- A. The Detainee stated no, he lived in Pakistan and Kashmir is on the other side.
- Q. But where he lives in Pakistan, is that close to the Kashmir region?
- A. The Detainee stated he lived close to Karachi, which was too far.
- Q. You are familiar, obviously, with the conflict between the Hindus and Muslims in Kashmir?
- A. Yes.
- Q. Did you believe when you went on jihad that you were to be fighting the same type of Hindu battle that existed in Kashmir?
- A. The Detainee stated he didn't know. They tricked him. They said he was going to fight Hindus and he went with them. The Detainee doesn't know if they are the same kind of people or different.
- Q. The evidence that was given to us says that there were times you heard gunfire coming toward you. Do you remember that?
- A. The Detainee asked what kind of gunfire the Tribunal Member was talking about.
- Q. The Member stated it did not say, but it is presumed it was from the Northern Alliance.
- A. The Detainee stated they sometimes heard firing in the place he stayed for 15 days, but it was far from his location.
- Q. It says also, he mentioned that his group did not have permission to fight back against the Northern Alliance. Is that true?
- A. The Detainee stated he was told to stay there and not to fire back.

Q. At the time, where did you think the gunfire was coming from?

A. The Detainee stated it was his first time there, so he did not know where it was coming from. He is not familiar with the area.

No further questions.

Summarized Unsworn Detainee Statement, continued

The Detainee stated he needed to know who put in his file that he was associated with Al Qaida, and that he went to fight against the United States and its Coalition forces. He never fought, and never went to fight against the U.S. or its Coalition forces.

The Recorder stated it was part of the government evidence against him.

The Detainee stated he never fought against U.S. or its Coalition forces, so how would they decide that if he never went. If he knew who said that, he could answer them, but if he doesn't know, how will the Tribunal review this?

The Recorder stated the evidence against the detainee was gathered from interviews with the Detainee through various investigators.

The Detainee stated he never said that to any of his interrogators, and they might have recordings, since they had them every time they talked to him. He personally never said that to anyone and they can check that.

The Tribunal President informed the Detainee that the decision would be based upon all of the evidence presented, including the Detainee's statement.

Summarized Answers to Questions by Tribunal Members, continued

Q. You were part of the Jamat-I-Islami organization?

A. The Detainee stated he was never part of the organization. He was invited to go fight with them, and he accepted. He did not know any of the people personally.

Q. Do you know of any relationship between Jamaat-I-Islami and Al Qaida?

A. The Detainee stated he had no information about that.

Q. When you were captured, you were captured by an Uzbek named Moman, is that true?

A. The Detainee stated it has been a long time and he forgot the name of the person who captured him.

Q. Was the person an Uzbek?

A. Yes.

Q. Do you know whom this Uzbek was fighting for?

A. The Detainee stated he had no information.

Q. Do you know if the Uzbek was part of the Northern Alliance?

A. The Detainee stated he had no information about who they were, who they were fighting for or whom they were fighting with, but they captured him and he was with them for 2 months. There were other people from Pakistan with him when he was captured.

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. Marine Corps
Tribunal President