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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

When asked by the Tribunal President if the detainee had any questions concerning the Tribunal process, the Detainee answered, "No."

Tribunal President: Do you wish to make a statement to this Tribunal?

Detainee: Yes.

Tribunal President: Would you like to make your statement under oath?

Detainee: Yes.

[The detainee was sworn using his own oath.]

Tribunal President: You may now proceed.

Detainee: First I am grateful that you are giving me the chance to defend myself. I apologize for my weak English; if I need help I will ask the interpreter for help. I am disappointed with this Tribunal because if I am in a court and you accuse me of anything I should be allowed to know what the accusations are and to see the evidence. You tell me that these accusations are unclassified but there are other classified accusations. How can I defend myself if I don't know what the evidence is about the other accusations? Maybe the accusations are right maybe there wrong. If they are correct I will admit to them if they are wrong I will deny them. But what I understand is I have no choice. But this is the process.

Tribunal Member: If I can clarify a little bit before you start. These are all the accusations. What we will get in the classified session is in theory evidence to support these accusations, but there are no other accusations against you besides what is listed here.

Detainee: I understand that but what I mean is if you say I am an enemy combatant and you say you have evidence, I don't get to see it. Then I will stay here.

Tribunal President: You understand this is an administrative review not a trial or a criminal court?

Detainee: Yes I understand.

Detainee: I am also disappointed and frustrated at the same time because you are now using my cooperation against me. I gave you the information you need against me now.

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You didn't know anything about it until I gave it to you. I don't understand this. The interrogators used to tell us to be cooperative, assist us and then we will release you. So, they asked me many questions about many things. If I knew anything I would tell them, if I didn't I would tell them I didn't know. Now that I have given them the information they needed, and it is not against the United States, they are using it against me. This is not fair it is not justice.

Anyhow, because I have no choice and I am here and I am cuffed, I have to be. Okay, let's discuss the accusations.

Detainee: 3.a.1. (Detainee became a member of the Lashkar-e-Tayyiba (LT) in 2000.) I am not a member of that organization. I never said in any interrogations that I was a member. I met some of these people but that does not mean I am a member. Suppose now that I have met you. You are in the American Army; this doesn't mean I am in the American Army. Yes I met some of them. I told my interrogator everything about this organization, but I don't know why anybody said that I was a member of this organization. For your knowledge this organization is a Pakistani organization. The Pakistani Intelligence has assisted this organization. By their own rules only Pakistani nationals are allowed to join the LT organization. I know you have a lot of cooperation with the Pakistani Government, you can ask them this.

Tribunal Member: I assume you are not Pakistani. What is your nationality?

Detainee: I am Egyptian.

Detainee: 3.a.2. (The LT is the armed wing of the Pakistan based religious organization, Markaz-ud-Dawa-wal-Irshad. LT is also an anti-U.S. terrorist organization.) Let me give you a small history lesson about Pakistan. This will help you to understand. In 1947 Pakistan separated from India. It used to be one country and they had a large revolution and separated. They went to the United Nations to solve the fight. The United Nations decided by the end of 1947 that the area of Kashmir should belong to the Pakistan Government, because about 85% of this area was Muslim. India refused because this area is a very strategic location for India. Since that time three or four large fights have occurred between the two countries because of this area. Pakistan had the assistance of many organizations to help the Pakistani Army fight against India for freedom of this area. So, LT is one of the organizations, which was established by the Pakistani Government. This organization has more than 4,000 offices in Pakistan. They are working out in the open not hiding. All the financial affairs, all the military affairs, such as weapons and ammunition is controlled by the Pakistani Army. The Pakistani Army gives this organization everything to fight in Kashmir against India. So if you consider this organization a terrorist organization then you should consider the Pakistani Government a terrorist country. I think this is not correct and Pakistan is your strong hand in that area. I will mention this now and again at the end. LT is the biggest enemy against Al-Qaida and Taliban. They are against them because when Taliban came to Afghanistan, LT already had a camp in Afghanistan. The Taliban came, closed the camp

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and threw them out of Afghanistan. Another reason for this animosity is because in the Islamic belief there are four sects. Taliban is following one sect or scholar called Apohanifa and LT is following another scholar named Ipnhanpal. Maybe more than a thousand years ago the two sects were enemies and because of that LT is against Al-Qaida and Taliban. I know if anybody from LT went to Afghanistan even for a visit they would be immediately discharged from the organization. I don't know how you can consider this organization against the United States. I am not defending them because I am not a member. I am just telling you their history and maybe it will help in your decision.

3.a.3. (The detainee admitted being present at the LT-controlled major training facility in Northern Pakistan referred to as "Al Aqsa" in January 2001. Al Aqsa was created to facilitate the training and movement of Pakistani Muslim guerilla fighters.) This is correct. I visited the camp for two days. I didn't train there. I was an Egyptian Officer I don't need any kind of training. I visited the camp after I was invited by the LT. It is not actually a camp it is a joke. It's not a camp it is several tents on the top of a mountain. They take people from the streets and give them training on the Kalashnikov AK-47 then send them to Kashmir to fight. About 95% of them are killed crossing the border by India. If you want to visit this camp you can go to Pakistan and ask anybody and they will tell you where it is. It is not a secret camp. The Pakistani Government established this camp. Anybody can visit there it is an open camp.

Personal Representative: You said quite a bit with me about this. I'll read what you said. A little a bit is repetitive but I will read what you said to me.

Detainee: Yes.

Personal Representative: I visited the camp for two days. I did not receive any training at the base. It was not a secret camp. The Pakistan Intelligence Government created the camp. They provided everything, food, water, arms, and all the supplies. They trained people there to fight in Kashmir. Because I am not Pakistan they wouldn't let me train anyway. If the camp is a terrorist camp, then the point could be made that the Pakistan Government is a terrorist organization. I went to Pakistan for Dawa. When I reached Lahur, Pakistan, I found the organization Lashkar-e-Tayyiba an open public organization sponsored by Pakistan. I went to the office to get to know them and they were happy for my visit because I was an Arab. I went to a Mosque in Pakistan to lecture. I went to the camp for two days to see how things were running. I went back down and lectured the people. I then heard on the BBC radio from London that the government had classified Lashkar-e-Tayyiba as a terrorist organization. I was surprised so I quit.

Detainee: Right. Kashmir is a national crisis. The Pakistanis consider this their land. They go and fight the Indians even if they are the same religion, just for the land. As the Representative told you I heard it on the BBC radio, I think in February 2001, that they considered the Lashkar-e-Tayyiba a terrorist organization. I was surprised really because

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it is a Pakistani organization. But I told myself there was no reason to be associated with anybody who is considered a terrorist organization whether they are or not.

3.a.4. (Detainee voluntarily traveled from Pakistan to Afghanistan after September 11, 2001.) This is correct. I traveled, I don't remember the date, it was in Ramadan I think the end of November 2001. I was working with the Saudi Red Crescent. They have a large camp at the border between Pakistan and Afghanistan. This camp was built for the refugees. They gave them medicine, tents, food and clothes. The Red Crescent is considered the brother of the Red Cross. They are one team but Red Crescent works in Islamic countries and the Red Cross works in Christianity countries. So, I crossed the border to help the refugees in Afghanistan and two hours later an American raid occurred. I saw a light and heard a voice and then I lost consciousness. When I woke up I was in a Pakistani hospital. I lost my coat, my passport, my money, everything. And I lost my leg also. Then I found my self in Pakistani custody. I spent seven days in this hospital and then the Red Crescent came to the hospital and told me I was in Pakistani custody and they were going to take me to their hospital. I was in this hospital for about twenty-five days. Pakistani Army Officers and even the Governor visited me. The city is called Quetta. I talked to them about Lashkar-e-Tayyiba and they told me not to speak to anybody about that, don't tell anybody our secrets. One night the Governor and some people from the Pakistani Intelligence came to the hospital. They told me they had a meeting yesterday and decided to move you from this hospital to a large modern hospital with good facilities and surgeons to take care of my leg. I still had my leg I lost it here in Cuba. They took me in an ambulance and then I found myself with you. The American forces took me to Kandahar for eleven days and then I came to Cuba.

3.a.5. (The Egyptian government has stated that detainee is a member of the Egyptian terrorist organization Al Wa'ad and was part of the plot to assassinate President Mubarek in 1995.) This has got to be a very big joke. I was in Egypt from 1995 to 2000. I didn't leave Egypt until August 2000. The attempt occurred in 1995, which means I stayed there for five years after this attempt. Do you think I would stay there for five years if I were involved in such a thing? Besides that in January 2004, the Egyptian Government sent a delegation to Guantanamo. They met me twice here. After the interview they sent a report to the CIA. They mentioned in the report that I am not a member of any organization either in Egypt or outside Egypt and that I was not involved in the assassination attempt. They said I should be released at once because I was innocent. This report is in my file. I was told about the report from the Egyptian delegation and from my interrogator Big Jim. After the delegation left the island, Big Jim, stood up when I entered the room, shook my hand, said thank you and said I would be released.

Personal Representative: You said one more thing. Everything else was exactly from the notes I took. They said you had no part in the assignation attempt and that the plot and attempt actually took place in Ethiopia.

Detainee: Yes. The assignation attempt did not take place in Egypt it was in another country called Ethiopia in Africa. I was in Egypt during this time.

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The other two accusations: 3.b.1. (The detainee was injured during a U.S. bombing campaign. He was wounded by shrapnel in the leg.) 3.b.2. (While being treated for his leg wound, the detainee was captured by the Pakistani Intelligence Service, then turned over to U.S. forces.) I have already answered them. I was wounded in the American campaign and I was arrested in Pakistan. I was unconscious after my injury and when I woke up I was in Pakistan. I now I am here.

Detainee: In conclusion about my defense. If you have unclassified evidence against me I have evidence I am not guilty. I am innocent and should not have stayed here one day. The best evidence is the polygraph. In April 2004 a team came from Washington D.C. came and gave me a polygraph test. After they finished, the [sic] polygrapher's name was [REDACTED] he shook my hand and thanked me for being honest. He said I should leave here on the first flight. This is the best evidence that I am innocent. The other evidence is the Egyptian delegation report. They said I should be released at once. I think my country knows me better than anyone else. Also my interrogator [REDACTED] You can read his recommendation that I should be released at once. My fourth piece of evidence. Suppose I am a member of Lashkar-e-Tayyiba as you said. According to your definition of an enemy combatant; an enemy combatant is a member of Al-Qaida or Taliban or other organizations, which support these two organizations. As I told you before Lashkar-e-Tayyiba is against these two organizations, but I am not a member. My fifth and last piece of evidence. My God and your God knows better than you and I. He knows that I am innocent and I will ask you in the Day of Judgment about everything. Thank you very much.

Tribunal President: Does this conclude your statement?

Detainee: Yes.

Tribunal President: 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?

Personal Representative: No sir.

Tribunal President: Do the Tribunal Members have any questions for the detainee?

Summarized Answers in Response to Questions by the Tribunal Members

Q. You said prior to your capture the only time you were in Afghanistan was two hours prior to the raid?

A. Yes.

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- Q. Where in Pakistan did you start from that day?
- A. A small village between the border of Pakistan and Afghanistan. It is called Chamen. It is a very small village. Actually there is Chamen, Pakistan and Chamen, Afghanistan.
- Q. Where were you when the raid occurred?
- A. I was near the camp.
- Q. On the road?
- A. Yes.
- Q. Were you in a vehicle?
- A. When I crossed the border I took a taxi. Not a taxi...it doesn't have a name in English. I went to the first village. Its name is Bulac.
- Q. You said you were working with the Red Crescent, so were you an employee.
- A. No a volunteer.
- Q. Were you identified by any insignia?
- A. No. There are many volunteers working in this organization.
- Q. When you went into Afghanistan did you have your papers with you?
- A. Yes.
- Q. Where did you lose them?
- A. After my injury, I told you I was unconscious, when I woke up I was in Pakistan and I didn't have my coat. My passport, money and papers were in my coat.
- Q. Why did you originally go to Pakistan?
- A. Missionary work, spreading the religion.
- Q. So as a missionary?
- A. Yes, I studied religion in Egypt. I can talk to people about their religion and guide them to the correct way.

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- Q. Were you on your own or did a certain Mosque sponsor you?
- A. No, I was on my own.
- Q. You went from Egypt to Pakistan in 2001?
- A. 2000. My route was from Egypt to Saudi Arabia from there I went to Iran and from Iran I entered Pakistan.
- Q. I think you said you left Egypt in August 2000?
- A. Yes.
- Q. When you went to the camp, were you just observing or as a former Army Officer were you giving training or advise?
- A. No, just observing.
- Q. While you were at the camp did you see in Pakistani military officer or soldiers?
- A. No they wear their own clothes its not uniforms, they are civilians.
- Q. You mentioned after you went to the camp, you came down from the camp and you talked about the camp to people?
- A. No I went to the Mosque and lectured about their religion. The camp as I told you is famous. If you go to Pakistan you will find the offices of Lashkar-e-Tayyiba. Their ads are in the streets, supermarkets and everywhere.
- Q. You said you heard on the BBC around February of 2001 that LT was now considered a terrorist organization so you stopped...
- A. Yes I heard it on the radio that the Britain Government issued a report about terrorist organizations, about twenty of them, and one of them was Lashkar-e-Tayyiba.
- Q. So after February of 2001, you had no contact with them at all?
- A. Never.
- Q. So when you actually went to Afghanistan, you said at the end of November beginning of December, that's the only time you ever went to Afghanistan.
- A. Yes sir.

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Q. When you were in the hospital and they took you to the Red Crescent hospital, why do you think the Governor and the Intelligence people would come and visit you?

A. I don't know how to describe to you that they were very happy with me. The Governor himself, everyday, would bring food and clothes and even ice cream and chocolates to me.

Q. Why you were in the hospital?

A. Yes. He told me I would stay in the hospital until I could walk again and then I could go home or stay in Pakistan. He said I was their guest, but he was a very big liar.

Q. What was your association with the Red Crescent before you departed to Afghanistan? How did you become a volunteer?

A. After the American attacks I was like everybody else, watching TV and seeing what happened to Afghanistan. There was about two million Afghani civilians that were scared of the war and going to Pakistan. Because of that Pakistan closed the border. Other people would cross the border illegally. It is not really a border. It's just a dessert. In the middle of the dessert there is a gate on a road. On the right and left there is nothing you can cross where you want. Even at the gate they don't stamp you. There is just one soldier from Pakistan and one soldier on the other side from Afghanistan.

Q. And you were leading into how that led to your association with the Red Crescent.

A. After that I traveled from Lahur to Quetta where there is a Red Crescent office.

Q. Were you required to register with the Red Crescent as a volunteer?

A. Yes, I went there and met the man in charge. I told him I wanted to help in these refugee camps. This is part of humanity and part of my religion. It is not only for the Muslims. If I know, even you in a critical situation, I have to help you, whether you are of my religion or not.

Q. Because of your prior experience in the Egyptian Army did they consider you more of a leader or organizer of humanitarian aid or were you just a ...

A. The Red Crescent doesn't know that I was in the Egyptian Army. I left the Army in 1990.

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Q. Do you have any theories about why the Governor and the Pakistani Intel folks would sell you out and turn you over to the Americans? Did they think you were something else? Any ideas why they would be so nice to you and then turn you over?

A. Come on man you know what happened. In Pakistan you can buy people for \$10.00. So what about \$5,000.00.

Q. So they sold you?

A. Yes.

Tribunal President: Do you have any other evidence you wish to present to this Tribunal?

Detainee: No.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[REDACTED]
[REDACTED], Col, USAF

Tribunal President