

Summarized Unsworn Detainee Statement

The Tribunal President read the hearing instructions to the Detainee. The Detainee confirmed that he understood the process and had a comment and a question.

Detainee: Sir, I'm not a combatant. If I can tell you guys my story, I hope you guys listen too. Let me tell you my entire story; please give that time.

Tribunal President: Certainly. We are here to hear your story and your statement as it applies to the evidence against you. And we will give you an opportunity for you to make your statement here in a few minutes.

The Recorder presented Exhibits R-1 and 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 stated that the Detainee wants to participate and that he will make an oral statement and that he has requested one document from the International Committee of the Red Cross. The Tribunal President has ruled this document relevant. The document has been produced and will be submitted and received as evidence on the Detainee's behalf later on in the Tribunal session.

The Detainee did want to take the Muslim oath.

Detainee: How would you want me to start, with my story?

Tribunal President: The Personal Representative might be able to assist you to make comments in regard to the unclassified summary.

Detainee: That's fine.

Tribunal President: After that, you can add whatever you would like.

Detainee: Thank you very much.

The Personal Representative read the accusations to the Detainee so that he could respond to the allegations. The allegations appear in italics, below.

3.a. The Detainee is a member of al Qaida.

3.a.1. The Detainee claims Syrian citizenship.

Detainee: Yes.

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3.a.2. The Detainee lived in the United Arab Emirates and traveled to Afghanistan.

Detainee: Yes.

3.a.3. The Detainee traveled to Afghanistan in January 2000.

Detainee: Yes.

3.a.4. The Detainee traveled to Afghanistan for the Jihad.

Detainee: No.

3.a.5. The Detainee is a member of al Qaida.

Detainee: No.

3.a.6. The Detainee trained with the al Qaida terrorist organization.

Detainee: No.

3.a.7. The Detainee trained at al Farouq training camp in Afghanistan, January 2000.

Detainee: Yes, that happened.

3.a.8. While at al Farouq, the Detainee received training on small arms, mountain tactics, topography, and jungle/guerilla type warfare.

Detainee: No. It was just small weapon training, that's all. Not all of it, just 18 days.

3.a.9. The Detainee volunteered to be a suicide martyr.

Detainee: No.

3.a.10. The Detainee is associated with an al Qaida weapons specialist, who possessed his own poisons and explosives training camp.

Detainee: No. We were in prison together. They accused us of being American spies. I didn't have any money in prison. He threatened me one day that he was going to kill me. He told me he was an expert, an explosives/poisons expert. Because of him, I am in prison. He said that I knew him. There's nothing between us.

Tribunal President: Is there anything else you would like to add or expand on? You are welcome to do so at this time?

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Detainee: Sir, I was a prisoner of Taliban and al Qaida. They accused me of being a spy, because I used to be with them. In Bagram, fighting, because I went to administer, I just turned and ran away from my father. But, they caught me in a border city and they put me in prison. And if you get tagged as Taliban, they forced me, tortured me to say I'm an American spy, or spy for any intelligence service. So, if the interrogation people said that, that's proof of a lie. The testimony is that I'm not al Qaida, that I'm not a murderer, or Jihad for others. I must be a coward. I must pray for those people in this world. (Very inaudible and broken.) I'm not al Qaida.

They tortured me, and I lost my fingers. Now my hand, my right hand, it's numb, you know, I lost my hand because of them. Because of them (Taliban), they tortured me for three months. How long would I be with them? Does this mean I'm with them? That doesn't mean if I'm with them, or their brother as they said, brother Abdul. I'm not going to be tortured for three months. They then took me to a prison, and told me I'm going to be a prisoner for twenty-five years, at least. If I'm their brother or member, they aren't going to put me in prison like that. I mean they accused me of being a spy. And here, you guys accuse me of being al Qaida. No mercy. Who am I? From you, I want tribunal justice to say either al Qaida or a spy; I want to know who I am. Seriously, I was in a Taliban prison forever and they told me I would be a prisoner for twenty-five years. So, even if you say al Qaida, or no al Qaida, or accuse me of whatever you accuse me of, I'm going to be in prison forever for something that happened in the past. You take me from that prison and nothing changed in my life, I was taken from prison to prison. I ask the tribunal to please be merciful on me, and please be just and be fair. Please, sir, please.

Tribunal President: That is our intention, certainly, and we will take everything into consideration as we make a determination of whether you have been properly classified as an enemy combatant.

Detainee: Thank you very much.

Tribunal President: Now, understand that we have not seen your file, and we only know what is before us now, about you.

Detainee: Sir, this information, is this just for you guys, or interrogation people? I have been cooperative for what now, it has been for two or three years. All the detainees, most of the detainees, they're being uncooperative, being mean, stubborn, being very mean to the other detainees, the interrogation people are mean too. I did run away from my block, to another block. I now stay in the psych ward. I stay in the psych block because of the people here. They're accusing me of being an American spy. So, I warn you guys, take this in consideration, please. I don't know how to explain this to you guys. Please be merciful on me, please. I'm not an enemy combatant; I had American friends in United Arab Emirates. I loved my friends. If you would like being an enemy against Americans, against Christians, they would be killed with us. I invited them many times to my house to have dinner with me. We would eat together and they know my father. If I were a murderer, I would poison them and I would kill them. I know a guy, his name is Richard

and he's an American. I know another guy, his name is Christopher and he's an American. I know another guy, his name is Ryan Phillip, and he's British. I know a lot of people there. All the people in my block who I'm talking to, MP's or to the staff, the psych staff, brothers, sisters, they are like that, and they don't have a problem with anybody. I'm a guy of the mind, I started college and I don't think that every Christian or every American, I'm a victim, between crusaders and mujahadins. Mujahadins or Christian crusaders. Sir, I'm not a mujahadin, I'm not a crusader, and I'm just a victim between them. I've been in prison for three years; this will be (starting) my fifth year. In Taliban years, two years, a year and a half, I lost my life. My father disowned me; he said you're not my son anymore, because he thought I was a spy. Time magazine, they even advertised that about me, that I'm al Qaida. So, who am I, seriously? I don't know who I am. I don't know what I said to you guys. I just want you to be just, and to be fair and look. I don't know how to express my contrition. Just, whatever, from you guys I want you to listen to my story, I want enough time. I don't want anyone to stop me from telling my story. I want to tell all of it. I thank all of you. All of you, I want to thank, first from the president, to the staff here, to my presenter from the interviews. Thanks, everybody.

Tribunal President: We understand, and we want you to know that we're not here to punish you. We have come here also with an open mind and we will make a just and fair decision.

Detainee: So, who will make a decision here? You guys, or Washington D.C.?

Tribunal President: The three of us will decide on whether or not you have been properly classified as an enemy combatant, but only after we had heard your statement and have reviewed all the evidence and information. We will forward our decision to the convening authority in Washington D.C. After he reviews the proceedings of this tribunal, you will be notified of the results.

Detainee: How long will that take?

Tribunal President: Thirty- to- sixty days, probably, but it will be done as soon as possible. And if we determine that you have not been properly classified as an enemy combatant then you will be released to your home country as soon as arrangements can be made. If we determine that you have been properly classified as an enemy combatant or confirmed your enemy combatant status, you would be eligible then for an administrative review board hearing at a future date. After awhile, before we close out this session today, I'll explain more of what the process will be.

Detainee: Okay.

Tribunal President: But, right now, we're here to listen to whatever you feel is important and what you want to make known to this tribunal.

Detainee: Sir, do you want me now to tell my story?

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Tribunal President: If you would like, we're ready to receive it.

Detainee: Yes, please. Sir, I have a father, he was very difficult, very extreme, a very religious man. He would beat us up, my brothers and me. But, I was the only who had emotional problems. I had a seizures caused by epilepsy. I used to take the medication for it. I still take medication for it, here in the psych ward, here in Cuba. I couldn't handle my father anymore. What I did is run away from home. That happened after I borrowed money from...(the Detainee turns to the Personal Representative and asks for her to continue the story for him.)

Detainee: (As read by the Personal Representative from notes taken from interview with Detainee) OK, we'll continue on. He was a college student at the University of Al-Imam Mohammad bin Saud. He got money from a friend and was able to leave the U.A.E. (United Arab Emirates).

(The translator at this time asks the Detainee if he wants him to translate as she read, and he said yes, to translate every word.)

Detainee: (As read by the Personal Representative from notes taken from interview with Detainee) His brother found out and went to his father. At that time, his father dishonored him. He said to his father that he would show him. He fled from his brother's house and went to Abu Dhabi, the capital of U.A.E. Here he had the phone number for the Syrian embassy and the United Nations Community of Human Rights. He tried to get another passport. He went to the Afghanistan Embassy, and had a friend who was a secretary there, but he wasn't able to get a passport. But, he would be able to deport him to Afghanistan, from there (he could go) to Syria, then to Europe, and to any other country. So, he goes to the police and tells them that he is Afghani. At that time, he spoke broken Arabic. He went to Al-Rashida (ph) police station and was deported (to Afghanistan).

He then went to the Taliban; they used him as an interpreter. (At this point, the Detainee speaks up and corrects the statement).

Detainee: No, no, I went to the Taliban. They called in the interpreter between the Syrian and myself. When the interpreter came, he spoke to me, asking me where did I come from, who do I work for, what do I need? I told them I ran away from my father. I told them all what was going on with me. I told them this, and they said, no, you aren't going anywhere, you are coming with us. I said, "Who are you?" They answered, "My brothers, and we belong to a certain brotherhood." So, I told them no, I said I'm not here to come with you. I have addresses here with me; I came to go to these addresses here. I come here to live in Afghanistan, or if I can't live in Afghanistan, then I'll go to Syria, or Europe, or whatever to be able to get refugee status in Afghanistan. As a Syrian, I'm a Syrian, and in Afghanistan, you can go to the United Nations to get the refugee status. But, he told me no, you have to go to Kabul, the capital of Afghanistan. You have to go there with our other brothers. If you don't come with us, go back where you came from.

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I told them, okay, I don't have any money, and I don't have anything. Home is where I come from; can you help me to go back there again, or at least get to Pakistan? Pakistan is a border country. He said no, he won't give me any money and said you have to go with us, or go back to where you came from. I told him no. If you feed me, give me clothes to wear, help me, I'll come with you, but I can't do anything. He took me to the guesthouse, they changed my name to Dejarmin (ph.) and he told me that I had to go to al Farouq camp. I couldn't say that I'm not going there. If I don't go to that camp, they can do whatever they want to me, kill me; I'm already scared that they are going to kill me. They sent me to the camp; there were tactical, jungle, topography camps, all of it. But, first, basic training with light weapons. I saw that when they finished with light weapons, they would send them to tactical training, and then to the fighter lines/weapon lines. When they told me that, I cowered. I told them please, I want to go home, and to see my family, my friends, please let me go, and see them, please let me go back to U.A.E. I feel bad that I ran away from home. What they said was OK, now that you got all this information from us, you looked at our camps, you must be a spy. You must work for the American Embassy in the U.A.E. They told me I had to go with them to Kabul. They took me to Kabul again and then to Kandahar. There they started beating and torturing me. They used electric shock on me to get information from me. They started to torture me a lot. I lost the use of my right hand because of that. They then sent me to the prison. The prison was called (inaudible). They kept me there. They said they were going to keep me there for twenty-five years, at least, if not forever. I then stayed in the prison until the United States, until September 11th happened. The United States then came to Afghanistan. They started bombing. I was in prison at that time, and then September happened. My friend and I, we were both in prison together. He left, he went to Russia, he was Russian. We said we would be witnesses against the Taliban and al Qaida. They sent us to the U.S. Forces, to the detention camp in Kandahar. So, the interpreters, the reporters, news reporters, they came to us, we told them, one of them, he was from Time magazine. His name was Mike; we told him that we wanted to be witnesses against al Qaida and Taliban. We want to go to the Americans. So, after two days, there were FBI members, and Special Forces members there. They came to us, and they told us to come with them for a few days, and then they will release us to go home. We went to the camp, and they interrogated us that first day. They said, we are sorry, but you are going to have to go to Cuba. So, we had to go to Cuba, and when they are done with you, you will be separated from the other detainees. I was separated from other detainees, other Taliban members, while I was in Kandahar, but I still had to go to Cuba.

My friends and I were very cooperative. When they transferred us here, we met with the ICRC for three days, but from three days, it's now three years. Nobody has accused me while I've been here for three years. All they ask me about is other people, other detainees here, about whom I know, about who tortured me, who put me in prison. What I don't understand is, nobody accused me with all these accusations until now. (Inaudible) I don't know who this is; I didn't get to see the report from the recorder. I'm sorry. I don't know where he gets these accusations from, you know. I was put in prison, I was there, and they tortured me. Even if you say I'm one of them, after two years in Taliban prison, they tortured me for three months; do you think I'm going to be with them? I lost fifty pounds while in the Taliban prison. I had gotten sick with tuberculosis.

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I had emotional problems, I was stressed out, and I got lung problems. All those, I got from them. Do you think I'm going to be one of them, even if I were one of them? God knows, I'm not one of them, I never been with them as a member. I'm not going to be a martyr; I'm not that lucky of a guy to be a martyr. A martyr is a very holy thing. I'm not a martyr. My English isn't very well, I'm sorry about that.

Tribunal President: You are doing well. You're fine.

Detainee: So, my friends who were with me in the Taliban prison, two of them are here, #493 and #491. They are still here. And #490 and #491, I mean #492, sorry, they are the ones that left. One British and one Russian. They had gotten transferred to their home countries to be judged in their home countries. But me, because I'm Syrian, I'm with the other two here, Saudis. Nobody asked about our citizenship or us. Because (inaudible) I'm a Syrian, and there's no government official from Syria. The interrogators come from all over the world to interview with their detainees. But, me, a Syrian, the government, no U.A.E government, nobody came to ask where I'm from or what is happening with me, or ask if any Americans asked about me, so that they can let me back in my country, so I can be judged in my country. Nobody wants me and everybody is accusing me. I really don't know who I am. That's all I have to say, Sir. Thank you, all of you for listening to me. Thank you very much.

Tribunal President: You're very welcome. We may have some questions but does this conclude your statement?

Detainee: Yes.

Tribunal President: Thank you for your testimony.

Detainee: You're welcome.

Tribunal President: Personal Representative, do you have any further questions for the Detainee?

Personal Representative: Just some additional information. While he was in prison, he was in a Taliban prison. It was from January 2000 to May...

Detainee: No, from May 2000 to January 2002.

Personal Representative: And, I will be giving you Exhibit D-b, on that information. In addition to that, the Detainee spoke about having epilepsy. He is taking medication at this time. The medications at this time include Depakote, Zoloft, and Zyprexa. Sir, in addition to that, all I have is my next exhibit. (Note: the Personal Representative, who happens to be a nurse, advised that the medications are for the following purposes: Depakote – used for the treatment of seizures, bipolar disorder and prevention of migraines; Zoloft – used to treat depression, obsessive-compulsive disorder, panic disorder, post-traumatic stress disorder, and for treating social anxiety disorder;

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Zyprexa - used for treating patients with schizophrenia and manic episodes associated with bipolar I disorder. It also is used as maintenance therapy for bipolar disorder.

Tribunal President: Would that be D-b?

Personal Representative: Yes Sir.

Tribunal President: I will give you the opportunity to present that here shortly.
Recorder, do you have any questions for the Detainee?

Recorder: I have two questions, Sir, concerning a few of his statements. You mentioned the videotape. You say the Intel people here have that videotape?

Detainee: Yes.

Recorder: And the news reporter, you said his name was Mike from Time magazine. Can you tell me the date that you remember seeing him?

Detainee: He's Australian. The date?

Recorder: Try to remember, get as close to a date as possible...

Detainee: January 2002. Excuse me Sir, about the videotape, I did a polygraph test and I passed it twice.

Tribunal President: We understand.

Detainee: I passed it twice, you know. I was cooperative with them. I told them I wanted to take the polygraph test. People are scared of the polygraph test. So, I asked them to give it to me. My interrogator, his name is [REDACTED], he was here for one year, two years, and I think he left. That's all Sir.

Tribunal President: Thank you.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. Thank you for coming to speak with us today. I just want to make sure I understand all the pieces of the story that you gave us. The reason why your father was upset with you was because you were trying to leave the U.A.E. and he did not want you to leave?

A. No, no. The reason was because I borrowed money from some of my friends. He made a big deal of it. So, he denounced me, you are no longer my son, he had told me. This is why I traveled out of there. I want to add more information. That I've been in U.A.E., I was there since 1992 to 2000, and my father kicked me out. I want to go back

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to Syria, I miss my family, and I miss my relatives. Because he was a poor guy, he didn't want my brothers and me to go, because he didn't have the money, it cost money that he didn't have. So, that's one of the reasons, another reason was that I wanted to go to Syria.

Q. For what purpose did you borrow the money from your friend?

A. We had a school trip; I was in charge of this trip. We came out in the negative. I came out owing money to people. I borrowed money from my friend to give to the other people who were going on the trip.

Q. He was upset that you had to borrow money at all?

A. Yes. I swear, it's like that, I swear to God, if you want me to swear by the Bible, by Koran, by whatever you want me to, I'll swear, I'm going to swear. You can ask my father. You can ask him personally. (Inaudible) I'm going to show you. My father, he's an old man, but he beat me, and I can't do anything to him, because he's my father. And, you know, he touched me, but I can't do anything. We don't have rules, like they do in America. Where the parents treat their children, they don't hurt them. He used to bloody my mother, beat her, everything. My little brother, when he was two years old, my father would beat him. He was an extreme man.

Q. So, when you had your argument with him, you decided that you wanted to get away from U.A.E.

A. Yes.

Q. Out of all the places you could've chosen, Afghanistan was your only real choice?

A. I couldn't go to anywhere else. I had to have a passport, a Syrian passport. I told my friend, at the embassy, at the Syrian embassy. They said no, you have your own passport. My passport was with my father. I called my embassy to get another passport, they said you have one already, we can't give you another one. They told me no. I went to the American embassy, to get to America. They said you have to pay \$10,000.00 dollars or you have to wait until October (it was January at this time) for the lottery. I couldn't do anything. I then went to Canadian embassy; they used to have Kurdish people who would go to Canada. I ask them for immigration, they said, here's our address in London and you can write to them, and explain your problem, and they will give you a guide of how to immigrate to Canada. I told them I couldn't wait a month. Where am I going to go? The police wouldn't help me; they would send me back to my father. I didn't have anything to do, so I went to the Afghani embassy. I went to them; I said, give me a passport, and they said, we can't give you a passport but we can deport you from U.A.E. to Afghanistan, and from there, you can go wherever you want. Do you understand me Sir?

Tribunal Member: Yes I do.

Q. If you had asked your father for your passport, would he have not given it to you?

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A. No. No.

Q. He would never allowed you to leave?

A. No. No. He threatened me before. When I was in my last year in high school, I got mad at my brothers and I told them I'm going to run away. My father said, okay, if you run away, wherever you go, I'm going to get you. He had my passport in a box and closed the door.

Q. So, you finally made it to Afghanistan, and you said that you had addresses of places that you originally wanted to go?

A. Yes, because the guy who deported me, he had a seat in the Taliban embassy, Afghan embassy, it was the Taliban's embassy because there wasn't another embassy in Afghanistan. That guy, he gave me some addresses because where would I go, I go to Afghanistan, I'm going to get lost, where can I go? He gave me these addresses to help me. So I stay there until I get out of Afghanistan.

Q. You weren't planning on staying in Afghanistan for a long time?

A. No. Just to go there until I find the United Nations Office or find another embassy or organizations to help me to get out of the Middle East. Because in Afghanistan, you know, Uzbekistan or Kazakhstan, from these places you can get to Europe easier.

Q. Which happened first, them taking you to the training camp, or when they put you in jail because you wouldn't fight with them afterward?

A. Yes, because they told me you have to fight against Mazar-E-Sharif, the Northern Alliance. I said I'm not going to fight to kill Muslims, Muslim to Muslim. Like the prophet Mohammed said if a Muslim kills a Muslim, both of them go to the fire. And, my brother, he's Muslim like me, how am I going to kill him? I'm going to fight in the Jihad against... if there is Jihad against the infidels, not against Muslims. If I'm to be a martyr against the Muslims, then it's not real. What they told me was that they use music, instead of prayer call, blah blah blah, and I was like no, mostly the first reason, you must fight, and the second reason is because I speak English. They captured another detainee prisoner three months before me, and he was from U.A.E. and they said I came to complete what he came for.

Q. Someone has said that you had volunteered to be a suicide martyr; do you know anybody who would say that?

A. They told me about it, they told me about the videotape, when they made the videotape. At the end of the videotape, they told me to say something like that, because they said I had to say that, in a way of granting repentance, redemption, and forgiveness. They told me I had to say that, the videotape was made by Abu Dhabi TV; they put it on all the TV in the U.A.E., the capital of U.A.E.

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Q. So it was the Taliban prison people who forced you to do this?

A. Yes, I did a polygraph for this about the videotape, about being in the (inaudible), myself, that's in the polygraph tape.

Q. The fellow with the poisons and explosives training camp, he is here?

A. Yes, he's here.

Q. You say he's here, in Cuba?

A. Yup, he's still in Cuba.

Q. Okay.

A. His I.D., his ISN number #653. We were in Taliban prison all the time. Since May 2000 to January 2002.

Q. You said he made threats against you? Why did he do that?

A. Yup, because he was upset, because I told the Taliban that he forced me, and then he beat me up. I will tell you everything. He had a camp but before I got to Afghanistan. In that time, before that, the Arabs controlled all the camps. There weren't any more private camps, so they took his camp from him and they accused him of being a spy. When they took me, they told me that he was a spy for America. They beat me and tortured me I couldn't handle it, and that I told them he's with me, that we are both American spies. Now he's mad at me, and he used to threaten me, and that time he threatened to kill me. He said the next I get my hands on poison, I'm a poisons/explosives expert; I'm going to poison you. And he did try to poison someone in prison, before.

Q. So, he really is an expert in poisons?

A. Yes. Yes, Sir.

Q. Did they torture him too then, in the Taliban prison?

A. I don't know about him, we were separate.

Q. So that's why he's upset with you, because you...?

A. He's still upset with me Sir, forever. He's just mad because he is here. You can ask any detainee here in this camp. They all know in camp 4, camp 3, camp 2, and camp 1. Forever, you can ask any detainee about him and me, about our story on being American spies. They kill us, they can kill us, I swear. This last hour, between the detainees and me, they say that Janko's power is now generally in the U.S. Army. Motherfuckers, I wasn't doing anything, sorry, my language, I cursed. I'm here, why would I be, look, if

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my father in-law is a general in his army, would I be in this? I'm going to be in shackles and cuffs? Originally, I'm going to be Cuba. They kept telling me, spies, spies, spies. My issues got worse, I had to go to the psych ward, because of that. Because they keep telling me that, I've been in all of the camps, Camp 1, Camp 2, from block to whatever, they used to throw piss and shit on me because they think I'm a spy. They think I'm still spying on them.

Q. If you were to be released, where would you want to go?

A. To Jordan, sir.

Q. To where?

A. Jordan.

Q. Jordan? Why Jordan?

A. Because I can't go to Syria, they are going to say I'm a spy. I saw on Syrian TV, they showed me on TV, they put me on the Internet, Afghanistan news 2000. You can get the pictures from the Internet. Me and (inaudible).

Q. I thought you said before you wanted to get away from the Islamic world all together?

A. Sir, but no, I miss home, and Jordan is the closest place to my parents, to my relatives, you know. Anytime that I can see them they can come to me, in two hours, they can be with me in Jordan. Not that far away. It is still away from home, but it is the closest point to my home country, you know.

Tribunal member: Thank you very much.

Detainee: You're welcome.

Q. You seem extremely cooperative; I just wonder why you are still wearing an orange uniform as oppose to a tan or white one?

A. I was in psyche ward, so, because of my psych problems, I used to hurt myself, cut myself, and bang my head. So, it's been like this for the last two or three months now. They dropped the levels. The Level 2 they wear orange. In level one, they give them the tan or white colors. And now, I'm level 2, and hopefully in eighteen days I will be level 1, so I'm going to change it.

Tribunal member: Okay, you've answered my question. Thank you.

Detainee: You're welcome, Sir.

Tribunal President's questions.

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Q. The treatment that you're receiving, is it helping you?

A. Yes, Sir.

Q. Do you feel well today?

A. Yes Sir.

Tribunal President: I hope you continue to do well.

Detainee: Thank you, Sir.

Tribunal President: Is there anything else, any other information that you feel is important, that you would like for us to be aware of?

Detainee: Sir, you can ask any Detainee, here, about Janko, #489, Syrian, they are going to say, oh, he's a spy. And, my friends, who use to be with me in prison, I hope you talk to them, or ask for them, #491 and #493. They are my witnesses that I was in prison. I had a British friend, he went back to Britain, he's gone, and I had a Russian friend, he's also gone, so, basically, I'm lonely now. I hope that you listen to my situation. That's it.

Tribunal President: Very well. Thank you. Does anyone else have any more questions?

Tribunal Member: Yes, one. Is there anything that you have said since you've been here in Cuba, during interrogations, that you would wish you could change, maybe something that you said, that you said, oh, I wish I would not have said that?

Detainee: No, said, I'm positive of what I said.

Tribunal Member: Okay.

Detainee: I'm positive, there's nothing wrong. In the beginning in Afghanistan, they pushed me, they kept pushing me, they beat and tortured me, and they usually let me have outside exercise, that kind of torture. Military intelligence, they told me to say I'm al Qaida, so, I told them, ok, I'm al Qaida. How I told the Taliban I'm a spy, now I tell you guys I'm al Qaida. But when I came here to Cuba, nobody tortured me or forced me to. I want to change and say that I'm not al Qaida, I'm innocent, Sir, that's all, since I've come to Cuba, everything is correct and everything is good. Everything is true.

Tribunal Member: Okay. Thank you.

Detainee: You're welcome Sir.

Tribunal President: Thank you for your testimony.

Detainee: You're welcome Sir.

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The Tribunal President confirms that the Detainee does have further evidence to present to the Tribunal. The Personal Representative enters Exhibit D-b, the letter from the International Committee of the Red Cross. The Detainee has an oral statement concerning this letter.

Detainee: They mentioned that I had told them that my name was Kawa Omar Karbash in the Taliban prison. It's true; I forgot to tell my representative that last time. My name in the Taliban prison was Kawa Omar Karbash. This name I made up just because there were a lot of people, they could do anything to me in the Taliban, so I gave them the wrong number, the wrong name just like that. I want you guys to know my name was Kawa Omar Karbash, my home address P.O. Box 446 and the phone number is, the country code 0097167436030.

Tribunal President: Very well, that is what this explains here as well.

Detainee: Thank you.

The Tribunal President explains the remainder of the Tribunal process to the Detainee and adjourns 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, United States Marine Corps
Tribunal President