

Summarized Unsworn Detainee Statement

The Tribunal President read the hearing instructions to the detainee. The detainee confirmed that he understood the process and had no questions.

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 Detainee did not take an oath.

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 associated with the Taliban or al Qaida.

3.a.1. The detainee traveled from Semey, Kazakhstan, to Islamabad, Pakistan, in August 2001.

Detainee: I never went [from] Semey. I have never heard of Semey. What is that?

Tribunal President: I understand that it maybe a village or a town in Kazakhstan.

Detainee: You could be right but I am not sure about it. I was traveling from Omond also.

3.a.2. The detainee stayed at various madrassas during his travels around Pakistan.

Detainee: Yes. I have been to a few madrassas.

3.a.3. The detainee admitted that he stayed at a house in Kabul, Afghanistan, that was owned by the Taliban.

Detainee: I stayed in a house in Kabul but I was not sure whom the house belonged to.

3.a.4. The detainee stayed with two individuals in Kabul, Afghanistan, who worked as cooks for the Taliban.

Detainee: I was with two individuals but they did not work for the Taliban.

3.a.5. The detainee, as well as those he was arrested with, had a cover story regarding their recruitment at a mosque in Kazakhstan.

Detainee: That is not true.

3.a.6. The detainee was in Afghanistan when the United States bombing campaign began.

Detainee: Like I told you before, when I was in Afghanistan they did start the bombing but I didn't know that they were going to start the bombing campaign otherwise I would not have went there.

3.a.7. The detainee was captured by the United Islamic Front for the Salvation of Afghanistan (UIFSA) and turned over to U.S. custody in December 2001.

Detainee: I did not know about the United Islamic Front for the Salvation of Afghanistan. I don't have any idea what that is. One person came and put us in a car and said that he was going to take us to a safe place and he took us to some place. He told us to go in the basement and they just locked us up and that is how I was captured. I didn't know anything about UIFSA. Later on we were handed over to the Americans. Even then they told us that they were going to help us get back to our country.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. How old are you?

A. Twenty-four right now.

Q. Are you from Kazakhstan?

A. Yes.

Q. What did you do there?

A. After I finished school I did not do anything.

Q. What level of school are we talking about?

A. Ninth grade.

Q. How long of a period from the time you finished ninth grade until the time you went to Afghanistan?

A. After I graduated from the ninth grade I went to a technical college for four years, so probably two and half years after that.

Q. During those two and a half years you didn't work but did you do anything else like undertake religions studies or anything?

A. No, but we have a backyard so I worked over there.

Q. Why did you decide to go to Afghanistan?

A. I didn't have any intentions to go to Afghanistan. I wanted to go to Pakistan to study.

Q. So how did you end up in Afghanistan?

A. I went to Pakistan during the time schools have breaks. I was going thru the different places and trying to choose which place was best for me to study. I met two people one of them was originally from Afghanistan and I had a conversation with them. Since it

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was break time from school for a couple of months and he told me that they had pretty good places to study. I decided that I would go to Afghanistan with him and check it out and if I don't like it, I would come back just in time for the school year to start and start my study in Pakistan.

Q. At this point did you have your passport with you?

A. Yes.

Q. How many people in the party traveled from Pakistan to Afghanistan with you?

A. I had one person with me but there were a lot of other people whom I did not know.

Q. Did you go directly to Kabul?

A. I'm not sure. We were going towards Afghanistan and it was a very long journey and ride and at one point they told me this was Kabul.

Q. Once you got to Kabul, what were you doing?

A. For the first few days we were just sitting at home and doing pretty much nothing. I was just going outside and in the streets to go to the mosque.

Q. After the first few days?

A. I was planning to stay a couple of months in Kabul but after the fifth day I was captured.

Q. In the unclassified summary it suggests that you came to Pakistan in August and you were captured in December. Does that sound right?

A. I'm not sure. I don't remember.

Q. All I really need to know is that you were only in Afghanistan for five days?

A. Yes.

Q. Another thing to clarify. I understand that you went to Pakistan to study in madrassas, or did you just go on vacation?

A. To study.

Q. What languages do you speak?

A. I speak Russian and my native language is Uighur.

Q. Why did you go to Pakistan to study, how did you study?

A. I wanted to study the Koran.

Q. Were you able to find someone to translate it for you?

A. Yes.

Q. The person who ended up locking you in the basement. Did you know that person?

A. No I did not.

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- Q. Why did you go with him then?
A. I was in Afghanistan for only five days and I did not know anybody, so I thought that maybe he was a friend of the people I came with.
- Q. Have you had any military training?
A. No.
- Q. Were you armed while you were in Afghanistan?
A. No.
- Q. Did you have your passport on you when you were arrested?
A. Yes.
- Q. You mentioned you were in Afghanistan for five days. Were you ever in Afghanistan at any other time in your life?
A. No.
- Q. Were you aware of the attacks on the United States on September 11, 2001?
A. No.
- Q. What reason did they give you for your capture?
A. They told us that they were going to take us to Pakistan. Then they locked us in a basement. After that they told us they could not help us out. They said they were going to hand us over to the Americans. The Americans are going to help you.
- Q. Did you know any of the people's names that you were captured with?
A. Only the two people that I came with.
- Q. What were their names?
A. Yakup and Tulkon.
- Q. Did you know their last names?
A. No I don't remember their last names.
- Q. Those two gentlemen that you knew when you were captured together, did you meet them before?
A. Yes.
- Q. Where did you meet them?
A. We were from the same village.
- Q. The same village in Kazakhstan?
A. Yes.

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- Q. I just want to clarify that the person that locked you in the basement, was that in Afghanistan at the time or somewhere in Afghanistan?
- A. I think so.
- Q. How long did you stay there until the U.S. people came to get you? I'm not looking for exact days, just number of days or number of weeks, somewhere in that range.
- A. Approximately three months.
- Q. Three months you were in the basement before the U.S. forces?
- A. First we were in the basement, then some kind of huge container. Then it was a place like a barn.
- Q. The people who were captured with you, Yakup and Tulkon. Do you know if they were released or where they are now?
- A. I saw one of them about six or eight months ago here at this camp.
- Q. Which one was it?
- A. Yakup.
- Q. When the bombing started in Afghanistan, were you in the basement or being held by these other people?
- A. I did not hear anything about the bombing campaign in Afghanistan.

The Tribunal President confirms that the detainee had no further evidence or witnesses to present to the Tribunal.

Detainee: I have one question. When are you going to release me?

Tribunal President: I will give some other information shortly that may address some of that. The reason for us having this hearing today, is that we will review all the information the government has regarding your classification as an enemy combatant.

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.

Tribunal President

Colonel, USAF