

Summarized Sworn 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 through 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 was unable to speak. The Muslim oath was written out and signed by the Detainee.

Detainee Written Statement: All of these written papers that I have given to my Personal Representative show my innocence and that I'm a poor person. I swear that everything that is written there is the truth.

The written and signed Muslim oath is submitted into evidence as D-c.

The Personal Representative read and submitted the detainee response to the accusations into evidence as D-b. The allegations appear in italics, below.

3.a. The detainee is a member of and supported the Taliban.

Detainee Written Statement: I am for King Zahir my father and grandfather lived as Khans. I did not help the Taliban at all. During the last few nights I was cursing at them and screaming loudly that Americans are very nice people. They are rebuilding my country and are working for Afghanistan. I was telling the Imam of our mosque that I am George Bush's soldier. I have never helped any Talib and neither would I now. I had a piece of paper (letter) and it belonged to Mullah Ehsanullah. I took it from him because I was learning how to write from him. That letter is not mine. Also there were some written holy blessings captured with me and two notebooks. One was written about food (a list of food) and one was about gas for cars. (The italic below was put in to explain the above statement about the food and cars). *This was a list of food that was written in the notebook that he had purchased bread from a bakery. This second notebook contained a list of gas for district autos that was being operated by the new government.* I did not even once try to seek work with the Taliban. I was caught by U.S. force in Kajaki district. I have not seen Klianjki. Americans are my witnesses that I am not an enemy combatant. That would be wrong if I am considered an enemy combatant. These are wrong accusations. Among all these statements none of them have anything to do with me; they are worthless. It is not actually true that I was captured in Klianjki. I was reported or introduced to Americans as Talib by Said Shah and Haji Abdul Khaliq at the Kajaki district by empty accusations and nonsense lies. These questions and allegations that you make against me are worthless and are lies. Also these other five accusations against me are all lies and I do not except even one of them.

3.a.1. The detainee had a working relationship with persons known by him to be associated with the Taliban.

Detainee Written Statement: I am a member of the new government. I never developed any relations with the Taliban. I am their enemy.

3.a.2. When captured, the detainee was in possession of pocket litter containing a list of known Taliban.

Detainee Written Statement: When I was captured carrying these papers they belonged to Mullah Ehsanullah. I took them from him so I could learn how to write. The paper isn't mine. This paper belonged to Mullah Ehsanullah.

3.a.3. Notebooks found on the detainee at the time of capture contain codes known to be used by the Taliban.

Detainee Written Statement: I had two notebooks. One for food and the other was a list of gas for cars. The rest were my personal religious verses, Koran verses. There were no secrets in them. The blessings were about the symptoms of epilepsy in my body; I am an epileptic. You people do not understand this. You should show these papers to your translator so that they can clear your head.

3.a.4. The detainee tried at least two occasions to get a job with the Taliban government.

Detainee Written Statement: Never in my life did I try to, or be together with, the Taliban. I was in prison for nine years and four months in Iran. During the Taliban I was in prison for just a year and a half and I was out of the country as a laborer.

3.a.5. The detainee was arrested by the U.S. force in Klianjki, Afghanistan.

Detainee Written Statement: I was not captured in Klianjki. I was wrongfully and innocently captured in the district of Kajaki district of Helmand Province.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. What did you do for the new government?

A. I was the personal secretary of the district manager of the Kajaki district. I was filing petitions for people and at the same time I was doing the cooking for the district manager.

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Tribunal President's questions.

- Q. In your written statement you indicted that you were in prison for over nine years in Iran. Why were you in prison in Iran?
- A. They caught me carrying Hashish.
- Q. What year, if you can recall, were you released from prison?
- A. The year of 1370 the 25th of the 9th month I was put into prison on this date. (This would be around 1990 or 1991 that he was put into prison.)

Detainee makes a written statement: I am extremely innocent. I have been unfairly treated because I have spent three years of my life in this prison.

The Tribunal President confirms that the detainee had no further evidence or witnesses to present to the Tribunal. The Tribunal President explains the remainder of the Tribunal process to the detainee. and adjourns the Tribunal.

Detainee makes a written statement: I have one request please. I have been given monthly injections. I have become allergic to it. Can you please have the injections stopped?

Tribunal President: We will identify this request and bring it to the attention of the medical personnel here within the facility.

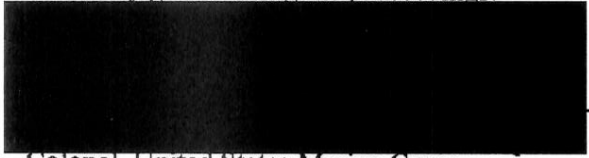
Detainee makes a written statement: Please consider this very seriously. This means a lot to me if you could consider this request very seriously.

Tribunal President: We will. We acknowledge that and we will take everything here today with great seriousness.

Tribunal President 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

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ISN 562 Statement

a. The detainee is a member of and supported the Taliban:

I'm for King Zahir. My father and grandfather lived as Khans. I did not help the Taliban at all. During their last few nights, I was cursing at them and I was screaming loudly that Americans are very nice people. They are rebuilding my country and are working for Afghanistan. I was telling to the Emam of our mosque, that I'm George Bush's soldier. I've never helped any Talib and neither would I now. I had a piece of paper (letter) and it belonged to Mullah Ehsanullah. I took it from him because I was learning how to write from him. That letter isn't mine. Also, there were some written Holly Blessings captured with me and two notebooks. One was written about food¹ (list of food) and one was about gas for cars². I did not even once try to seek work with the Taliban. I was caught by US forces in the Kajaki District. I've still not seen Kala-e-Jangi.

Americans are my witnesses, that I'm not an enemy combatant. That would be wrong if I'm considered an enemy combatant. These are wrong accusations. Among all these statements, none of them have anything to do with me. They are worthless. It is not actually true that I was captured in Kala-e-Jangi. I was reported or introduced to American as a Talib, by Said Shah and Haji Abdul Khaliq at the Kajaki district by empty accusations and nonsense lies. These questions and allegations that you make against me, all of them are worthless and lies. Also, these other five accusations against me are all lies and I don not accept even one of them.

1. The detainee had a working relationship with persons known by him to be associated with the Taliban.

I am a member of the new government. I never developed any relation with the Taliban. I'm their enemy.

2. When captured, the detainee was in possession of pocket litter containing a list of known Taliban.

When I was captured carrying these papers, they belonged to Emam Ehsanulla. I took them from him so I can learn how to write. This paper isn't mine. This piece of paper belonged to Mullah Ehsanullah.

3. Notebooks found on the detainee at the time of capture contain codes known to be used by the Taliban.

I had two notebooks. One was for food and the other was a list of gas for cars. The rest were my personal religious verses (Quranic verses.) There were not any secrets in them. The blessings were about the symptoms of epilepsy in my body. I'm an epileptic. You people do not understand this. You should show these papers to your translators so they can clear your heads.

4. The detainee tried on at least two occasions to get a job with the Taliban government.

Never in my life, did I try to work for or be together with the Taliban. I was in prison for nine years and 4 months in Iran. During the Taliban, I was in prison for just a year and a half and I was out of the country as a laborer.

5. The detainee was arrested by U.S. forces in Klianjki, Afghanistan.

I was not captured in Kala-e-jangi [Klianjki] I was wrongfully and innocently captured in the district of Kajaki, district of Helmand province.

Linguist clarifications obtained from the Detainee after he made his written statement.

¹ This was a list of food that was written in the notebook that he had purchased bread from a bakery.

² This second notebook that contained a list of gas for district autos that were being operated by the new government.

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Exhibit D-b

1317A

اوزه د ظاهر شاه نعيم پلار او نيکه مي خانان تير سويدي.
 او ما د طالبانو سره هيڅ کليک نه دی کړی و طالبانو ته ما د طالبانو
 په اخير و بشپړ کښي نيکځل کول او ما دغه نغري وهلي چې
 امريکايان د ير بنه خلک دی زما وطن جوړه وي او افغانستان
 ته خدمت کوي. ما دخپل مسجد و ملا ته ويل چې د جورج بوش
 عسکر يم. ما هيڅ طالب سره هيڅ کليک نه دی کړ او نې ورسره کوم
 زما سره يو کاغذ وو راسره وو هغه کاغذ د قاري ملک احسان الله
 وو. ما د هغه قاري ملک احسان الله واخيست ما خط ځيني زد کاوه
 هغه کاغذ زما نه دی.

زما سر په کتابچه کښي صرف ټه ويډونه نيول شوي دي: 1
 زما سره دوی ~~کلیک~~ کتابچه نيول شوي دي يوه د دوی
 وه. يوه دمترانو د تيلو وه. دغه دوی کتابچه راسره نيول
 سويدي. ما يو ځل هم د طالبانو سره کوشش د کار پيل کړلونه د
 کړي اوزه امريکايان نو په د کمچکي په اولسوالی کښي نيول
 نيولی يم ما تر اوسه پورته ځله جنگی ليدلی نه ده.

اخيستې

1377B

- 1- دغه دوی نيست وه چې پ کتابچه کليک شوي وه چې د نانوای څخه دي دوی اخيستې
- 2- دغه بله کتابچه د ولسوالی دمترانو د تيلو نيست کتابچه وه چې د نوي حکومت لوري مړيو وه

۱- امریکایان زما شاهدان دي چی جنگی بندی نه م

دغه خبره غلط ده چی زه جنگی بندی دغه خبرتولی غلطی دي
په دغو خبرو کښی یوه خبره هم رځاپوری تعلق نه لری دغه ټولی
خبری بی ځایه دی

دغه بی بی ځایه سوال دی چی زه په قلعو جنگی کښی نیول سوی م
زه ده کجکی په اولسوالی کښی سید شاه او حاجی عبد الخالق
په تشن تهمت او تشن بی ځایه دوروا غوزه و امریکایا نوته
دطالب په تور معرفی کړم.

دغه سوالونه او دغه تهمتونه چی تاسی پریالکولی دی
ټوله بی ځایه او ټوله دورواغ دی دغه پنځه سوالونه تاسی
بی ځایه دورواغ دي زه یواک نه منم

د اول سوال جواب :

زه د نوي حکومت سړي يم ماديڅ طالب سره اړيكي نه دي
پيل كړي زه د طالبانو د وښمن يم.

د دوهم سوال جواب :

دغه كاغذ چې زما سره ونيول سو . دغه كاغذ د قاري ملا -
احسان الله دي مادي دغه قاري ملا احسان الله واخيست ^{څخه} امانت
چې ما خپل ځني زده كاوي دغه كاغذ زما نه دي . دغه كاغذ د
قاري ملا احسان الله دي

د دري يم سوال جوابونه :

زما سره دوي كتابچه يوه داو ل سوالی د د وځي وه . او يوه >
مترانو د تيلو وه . او نور زما شخصي تفويذات
تفويذونه را سره وه په دغه كښي هيڅ شفر يا شفر و نه نه ست
دغه تفويذونه دي د پير يا نا نو او زما په وجود كښي د پير يا نا نو مرفض
ست . او ستاسي خلك په دغه تفويذونو نه پوهيږي
تاسي ئي و ترجمانانو و روښنات چې هغه ستاسي سرونه په خلك من

كړي . 13170

د څلرم سوال جواب :

زما په ژوند ما دغه کورنۍ نه دي کړي چې زه د طالبانو سره
کار او یا ورسره سم او یا کار ورسره وکړم زه ۹ کاله اوږد څلور سیه
په ایران کې بندې و. زه فقط یو نیم کاله د طالبانو په وخت کې
پر د باندې بندې و. هر هغه می خپله غریبه کوله.

د پنځم سوال جواب :

زه په قلعہ جنګي کې نه يم نیول سوی زه د هلمند په ولایت
د کجکی په اولسوالی کې د غیر جنګي په تور بی گناه ناحق نیول
سوی يم.

In the name of Allah, the most compassionate, the most merciful, I
Ehsanullah Peerzaie, swear that my testimony before this tribunal will be
the truth.

بسم الرحمن الرحيم ، زه امان پيرزاي قسم
کوم ميرزا ستھارت دري جوشي تر مخ لول رښتيا ده

زما دغه تحريري ورقي چي ما و شخصي

نما بيده ته تر مخ ليکلي وي دغه ورقي
زما بي گناهې او مظلوميت ثابت وي چي
زه بي گناه سمم يم اوزه قسم خورم چي
زما و پناحق ده



1317F

Exhibit D-c

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**Detainee's Written Responses to Tribunal Questions
Peerzai, Qari Hasan Ullah, ISN 562**

I was the secretary of the district manager at the District of Kajacki and was submitting petitions for people.

On the 25th day of the ninth month of the year 1370, which coincides with January of 1980 I was caught (captured) for carrying Hashish and put in Jail in Iran for nine years.

I'm absolutely innocent and I've been brutalized by being in prison here for three years.

I have a favor from you. I've been giving monthly injections and I'm very allergic against it. Please stop this injection on me. This is a very special favor that I'm asking you. Please pay attention to it.

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Exhibit D-d

FOUO

ISN 562 PEERZAI, GARI Hasan Ullah
14 Jan 05

زہ > کچی پہ او لسوالی کنی د او لسوال شفی مشی وم
او عریفی می لیکلی او د او لسوال شفی آپیزی می کول
۱ ۲۵ ۱۳۷۰۹ د خکولو چرس ئی را سره گیر کرل
> یو زرو دری سوه و او یا هم کال
> نه می میا شتی پر ۲۵ نیستہ گیر سولم
زہ شدید بی گناہ یم زما سره ظلم سوی لای
چی زہ د لستہ د رچی کالہ بندی یم
زہ یو خواہش درختہ کوم و ماتہ ہرہ میا شت
یوہ پیکاری لگوی زہ حیر خسا سیت و سرہ
لرم دغہ پیکاری را باندی بندی
کری دغہ زما یر غت خواہش
چی زہ ئی ستا سی نخہ کوم
او تاسی غور و کمری

FOUO

1317H