

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-2 and R-3 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 took a Muslim oath of his own electing not to take one provided by the Tribunal.

The Personal Representative stated to the Tribunal President the detainee had asked that he present his list of questions that the detainee had written for his witness as evidence, the President agreed. Then, the Personal Representative commented on the evidence, submitted as Exhibit D-B. Next the Personal Representative read the accusations to the detainee so that he could respond. The allegations appear in italics, below the detainee's statement.

Detainee: I want the tribunal to read the statement first; then I will make a statement from my notes that I have prepared.

Tribunal President: Would you like to start with the unclassified summary of evidence?

Detainee: I would like to start with my background and then answer the accusations.

Detainee: First of all I would like to thank the United States of America on how they have treated us as enemy combatants and how they respect our religion. Especially when it was time for prayer; we could pray at any time of the day and prayer rugs were given to us as well. We would like to thank them for allowing us to fast and bring us meals when the sun has set during the month of Ramadan. I like to thank the government for allowing us to write home and to receive letters, especially the involvement of the Red Cross. Thank you for not abusing us by mentally and physically; the guards have been kind and respectful to us at all times. Thank you for the fitness equipment that you have made available. This tribunal process shows the government of the United States is interested in the truth and will punish those who are bad and will release those of us who are innocent. Finally I like to thank the government for everyone in this tribunal here today. I wrote down notes so that I didn't forget anything. Now I would like to give you a brief summary about myself.

My name is Usama Hassan Ahmend Abu Kabir. I am 34 years old; of Jordanian citizenship. I am married and have four children, and both of my parents are still alive. I have three younger brothers and six younger sisters, who all are married. I have achieved

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my education until high school. I have served the Jordanian military for one and a half years.

The job I had in the military was all administration work; I worked for the division of the attorney general. My record in the military was very good and they never took any pay from me for any reason. My occupation is a driver, taxi, car, truck. I have done this since 1986. I worked most of my life in that field. I have had other occupations as well. I learned to speak English working at a videocassette store. The last job I had was selling women's clothing; gloves, socks, veils, with my wife in my house. I have never had a criminal record or committed a felony in my country and I have never been in jail. I have had a moving violation in my vehicle, which only happened once. My record in the Jordanian system is very clean. I have never belonged to any terrorist party, Jihad group or any group that the government didn't approved of. My activities within the government were very professional. I even printed some papers that prove the real Shia religion. I am telling you all these things since I know you could confirm all this information. Since I have been here I have cooperated with the interrogators; I have never demeaned any soldier; I have not said or done anything to any one here whether it was orally or by action.

3.(1.) The detainee, who claims Jordanian citizenship, traveled to Pakistan in October 2001 to preach and to participate in a conference for the Jama' at al Tablighi organization.

Detainee: I am really a Jordanian citizen; I'm not making it up as I told you a little while ago. The Jordanian group identified me here at Guantanamo Bay. The Jordanian government sent me a color copy of my passport and supporting documents to me attaining my visa legally. That happened the first week of my detention in Kabul. I went to the Pakistani Embassy in Jordan to get some legal papers to do business in Pakistan. In regards to my participation in Jama at al Tablighi it was only meant to hear all the scientists in that field, and to hear the news from around the world.

3.(2.) The detainee is an admitted member of Jama' at al Tablighi.

Detainee: I am a member of Jama at al Tablighi. I have been a member for two years, since I left to Pakistan. It is an Islamic organization, it's not political, and it is only religion. It is not Jihad, it is not for charity purposes, it's only social with peace. It calls for all people to do good. One of its goals is to get close to God, and to really spiritual. You are supposed to be respectful and have mercy on others and to get ready for the day of passion. One of its principals is to never get involved with politics, problems or be part of a bad society. This is why Jama at al Tablighi is authorized to preach in all the different countries.

3.(3.) Jama' at al Tablighi, a Pakistan based Islamic missionary organization is being used as a cover to mask travel and activities of terrorists including members of al Qaida.

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Detainee: If you mean by saying this you are accusing the Jama at al Tablighi itself, this is a wrong and false. The purpose of Jama at al Tablighi is noble and is welcomed all over the world. It has never invited, encouraged, participated in a violent situation. They are very careful so they are not persuaded, by any group, so they will not ruin the basic principals of their goals. You need to have special permission and proper paperwork in order to travel and preach for Jama at al Tablighi; and they also have a special stamp they will put in your visa if you are traveling using Jama at al Tablighi. I wasn't using Jama at al Tablighi to travel to Afghanistan I went there using my business visa. Some people will use Jama at al Tablighi as a cover-up to get into other countries and again in my case I was using my business visa. I had intentions to travel through Jama at al Tablighi before September 11. I have asked the Jordanian government for a copy of my visa or just proof of my passport. The response was negative from your side at this time.

3.(4.) The detainee stated he traveled to Afghanistan in November 2001.

Detainee: True.

3.(5.) The detainee stated that after his arrival in Pakistan, he responded to a fatwa that encouraged him to travel to Afghanistan in order to join the Jihad.

Detainee: I traveled to Afghanistan to help the Afghani people. They were exposed to a lot of murdering and injustice. I went to help the government of Taliban. The Northern Alliance and the groups of Massoud attacked them. By me helping them, this is in compliance with fatwa. These are the rules of fatwa. I haven't done anything, not military, not civil, not as an interrogator, and I never even carried a weapon. I never met anyone from Taliban, al Qaida or any other kind of group. After my arrival in Afghanistan, it was two days later when the city of Kabul was captured; then I fled to the mountains; and I went back to the city of Jalalabad by taxi. I was then captured from a group of Mossoud's on my way to Jalalabad. My intentions were to meet with Jihad but I didn't meet with any of them. I would like to point out something very important. I spend almost a month in Karachi and I had no intention to be on Jihad. All I did was preach to the people; then my intentions changed from preaching to join Jihad. The media showed the misery and the poverty of the people and it was being said on the radio as well. The second reason for changing from preaching to Jihad; the emotion and the excitement from the Afghani people at the demonstration in the road. They all were holding up signs, had writing on t-shirts; it was their love that I had seen, I can explain it to you, but you won't understand how it felt that day. Most of the town talk was about the Afghan matter, so that was when I decided to want to be with the Jihad and the Taliban. That was a social gesture in general. The third thing was the biggest scientist of fatwa (the detainee gives examples of the 5 principles of fatwa's service). I think that most of the Arab people that are here at Guantanamo that are from Jama at al Tablighi; they were probably preaching in Pakistan or they were waiting for a conference. I think waiting around they might have changed their decision, the same as I. Jama at al Tablighi is not a terrorist group or organization but a few members could have just been influenced like me.

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3(6.) While in Pakistan, the detainee became a close associate of a member of the Jema'ah Islamiyah organization.

Detainee: This is a false accusation, period. There is no relationship between him and I what so ever. Only that we really entered into Afghanistan together. God is my witness for this. If you can prove otherwise, I will accept it from the United States government. You then you can give me the most severe punishment. How can we have a relationship when we don't know one another? How could we have a relationship if we have only know one another for three days? Another thing I didn't know: he was a member of Islamic organization? He never mentioned it. He never told me about his personal life. He did mention a few things about his work. He was a decorative designer and he owned a house and car, he was married and had children, and that he was in his thirtys. I am not sure. His father was deceased; brother was executed for drug involvement. His family gave him money to go help the needy. He has never spoken about any group involvement to me. The reason why I met him was by a coincidence; the reason for the acquaintance was I was dressed in the Arabic traditional gown and he was in his Asian like outfit and his small tight eyes made him stand out. The two of us were distinguished among the rest of the people in the mosque. In the mosque there were only Pakistanis in traditional gowns.

Tribunal President: What was the name of the guy you said you met?

Detainee: His name was Muhammad Islam.

Detainee: We introduced ourselves and later on I told him that I read in the fatwa and I wanted to enter in Afghanistan. So I can do what I can to help them, he stated he wanted to do the same. He also read the fatwa, and wanted to help them financially. So we agreed to enter into Afghanistan together. That is the main reason we were together. We had no other motive whatsoever, we had no previous relationship. We did stay in Karachi together at a mosque for two days on the way to Kabul before it was captured, and seven days in the mountain on the way to Jalalabad. Then we were captured there together. We stayed in the same prison for four and a half months together. It was in Kabul, and we were in the same room for two months. That is when I found out about the information I just told you. He never did mention these groups; I am astonished how they accused me of such a thing. In Guantanamo Bay, no one asked me about this. This is proof interrogators don't believe this. If they really believed so, they would have asked me so many times like they did with Jama at al Tablighi. The interrogators talked with me about seven times, and with Mohammad Islam over fifty times. That should prove my innocence with him. He is in a different place than here at Guantanamo Bay. That is why I asked for his testimony as my witness. I was asked to write down some questions that I would like to ask him, as I told you earlier when I first stated. If I didn't believe I was innocent, I would have not even bothered to write any questions down or asked him to be my witness.

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3.(7.) *Jema'ah Islamiyah is a Southeast Asian terrorist network with links to al Qaida.*

Detainee: This kind of talk doesn't mean anything to me. I have nothing to do with them; I have no relationship with them. I didn't even know their existence in this country. I was informed by my Personal Representative some of the information was that they were involved with some explosive activity in 2002; and they tried to attack the Israeli, British and American Embassy. That is why I would like to reassure you I have nothing to do with that group or any other member of Jema'ah Islamiyah. I am a member of Jama at al Tablighi.

3.(8.) *After traveling to Afghanistan, the detainee fled the city of Kabul and was captured near Jalalabad, Afghanistan by the Masoudy (troops of the Northern Alliance).*

Detainee: Yes, I was on my way to go back to Pakistan, then to Jordan. When the government of the Taliban was captured, there was no need for me to be there.

Detainee: My last statement, I would like to go back to how you identify me as an enemy combatant. I would like my Personal Representative to read the definition.

Personal Representative: An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."

Detainee: According to this identification, I assure you that, while I am still under oath, I never supported any side whether it was al Qaida or Taliban; not any kind of support physical or financial. I never was, not for one moment, for the Taliban or al Qaida. I have never done any belligerent act against the United States or its allies. I will never do anything in the future against them. I never gave them any support nor was a part of their group, I assure you that this definition doesn't apply to me at all. According to what I stated to you about all these points, I would wish that the tribunal work together to prove my innocence and give me a fair trial with all the facts, and expedite my file to send me home to my wife, kids and family. I have been here three years and I am telling you the truth. I have been cooperative. I have been in my white gown for more than a year.

Tribunal President: Does that conclude your statement?

Detainee: I have one more thing I would like to say. When I was in Kabul prison, I said things I never intended to say. It was only after all the physical abuse and the suffering that I had to endure. They think that all Arabs came with one intention to fight. With all my points that I have stated these things I didn't intend to say. One is the Northern Alliance were right on the spot by fighting with Taliban. Actually, I think against that. Another point: the General Akmed sha Massou is a very decent man. As a matter of fact, he is a bad man. I just said that to satisfy them. I didn't go to Afghanistan to fight the Massoud Jardin, I only came to fight Americans and the truth is against that.

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I learned that some of the detainee's were excused they were al Qaida because they wore Casio watches. When in fact, I have a Casio watch, due to the fact they are inexpensive and they last a long time. I like my watch because it is durable. It had a calculator and was waterproof, and before prayers we have to wash up all the way to my elbows. I made a statement to a soldier when I was on my way back from interrogation. I told him that if the authorities knew about you they would think you are al Qaida because you have a Casio watch. He replied it was ridiculous. One of the detainees with me read my letter to one witness. The witness was accused that he was from one of the Islamic groups. Lastly, during one of my interrogations, they asked me about Osama Bin Laden. I stated in all sincerity about him. I didn't know he was responsible for the acts on September 11. I stated he was a good man, a symbol of Islam, he fought against the Russians and he gave up the nice life and he lives simple. I only saw him on the television. I told the interrogators that he had nothing to do with September 11. I would appreciate if you would look at this; understand I was talking in a simple manner. It was impossible that I knew he was responsible for the attack. I would not defend a man if I knew he was responsible for those actions. I think that this terrorist act is not a Muslim's beliefs; I don't know how he could do this. Our religion forbids us from killing, threatening or attacking any other nation.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. What do you think about Osama Bin Laden now that you know he was responsible for the attacks on 9-11?

A. After it has been confirmed, this is forbidden and this was a terrorist act.

Q. When you left for Afghanistan did you know if any of the bombing started yet?

A. Can you clarify this please?

Q. When you first went to Afghanistan, you went to Kabul first correct?

A. Yes.

Q. Had the U.S. bombing started yet?

A. Yes.

Q. Did you know about that before you went to Kabul or when you arrived?

A. Before I went to Afghanistan.

Q. When you were in the Jordanian Army, did you receive any weapons training?

A. Yes.

Q. What training did you receive?

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A. We trained for 60 days, mainly athletic and marching. We got trained on M-16 Rifle; we shot about 30 rounds, 20 single shot and 10 automatic. We got training on the M-1; we got 10 rounds with that. We got troop training as well.

Q. Who paid for your trip to Afghanistan?

A. Myself.

Q. When you went to Afghanistan, what aid did you want to provide?

A. I really didn't know the whole situation, my qualification was I could drive a car or use a weapon.

Q. With regards to using a weapon, you had no intentions of using a weapon against the United States?

A. This is forbidden, it is impossible, the groups that existed were Masoudy's and there were no Americans there.

Q. Did you say you went to Kabul with the purpose of fighting the Northern alliance?

A. Yes.

Q. You knew the United States was working with the Northern Alliance?

A. The fact that the United States was, I didn't know that at all. All I knew was Northern alliance was there to control Afghanistan. My help was to prevent them from controlling Afghanistan and to help the Afghani people. Especially the government of Afghanistan after all the crimes and attacks in the streets; as far as I understood the attack from the United States were against al Qaida. I thought that was retaliation from the United States from 9-11. I had no idea that the United States was the allies of the Northern Alliance. I did know the United States asked the neighboring countries of Afghanistan.

Q. What was your business in Karachi?

A. I had a business visa to get into Karachi, it is easy access to get. I didn't really work in the business field. I did practice preaching for one month.

Tribunal President's questions.

Q. You got the business visa because it was easier, but it was your intention to work with Jama at al Tablighi?

A. Yes, it is easier.

Q. Why didn't you try to get a visa to work with Jama at al Tablighi?

A. I have only been with them for two years first of all, and they have rules and conditions. I am not qualified for all these conditions. If I were to apply through Jama at al Tablighi I would not have had the chance to go.

Q. What is the qualification? How much time do you have to work with them?

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A. I should be well known, and I am not. I should be well known within Jama at al Tablighi. I will be responsible to do all the daily work in Jama at al Tablighi. One of the rules is I am supposed to live outside the city to preach for three days every month. I had been outside of my own town for 40 days. If all the rules applied they would take it to the center of the administration board for review. I will have to provide all my expenses. I didn't have the experience to succeed.

Q. How long did you stay in Afghanistan? I know you stayed in Kabul for 2 days and is that when the bombing started? And is that why you had to leave?

A. The bombing started before I got there. It took 2 days to get to Khost then Kabul. Once I reached Kabul I stayed for 2 days. Then I went to the mountains.

Q. You were only in Afghanistan for approximately 4 days?

A. Three days. One of the days was traveling.

Q. Then you indicated earlier you did fight against the Northern Alliance?

A. If you are saying this, there is a misunderstanding.

Q. I got the impression that you did or wanted to fight against the Northern Alliance?

A. I had the intentions, but I didn't do anything.

Tribunal Member: He stated there was such a short amount of time that he didn't have the ability to do so.

Tribunal President: Ok.

Q. Where did you stay while you were in Kabul?

A. While I was in Karachi, I asked the Pakistani people how to get to Afghanistan and say you cannot go to Afghanistan since they will not allow anyone to get through. I asked well how can I go, they said you can go the illegal way if you get a guide. I looked for a guide to take me there. I stayed in his house in Kabul.

Q. Was it your intention to go to Kabul? Did you just want to go to any place in Afghanistan?

A. It was not my intention to go to Kabul. My intention was to go to any place in Afghanistan to help.

Tribunal President: Is there any other statement you wanted to make.

Detainee: I wanted to ask, the paper I gave you, will it help my case? Since there was no response from the Jordanian government, so what do you think of the paper I gave you. Will it help my case?

Tribunal President: This tribunal took an oath to consider all the information that we received. That includes your statements, the government's allegations, and all the information that is classified and your responses to the allegations. It is not going to

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affect you that the Jordanian government didn't respond in time. We will consider the fact that you requested the information. We don't consider the lack of response to be a negative response.

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.

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 Army
Tribunal President