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Summarized Detainee Statement

Detainee: So is there going to be another Tribunal?

Tribunal President: No. There is not going to be another Tribunal. There is going to be an Administrative Review Board, which I will explain to you later.

Detainee: If you know I am a terrorist, a Taliban or Al-Qaeda then why did you bring me here?

Tribunal President: This is your opportunity to present your information or any statement you would like to make.

Detainee: I know that I am innocent. I don't care about this Tribunal or what it says or what you think. I know myself and I am innocent.

Tribunal President: This is your opportunity to make a statement towards the allegations that have been presented to the Tribunal.

Detainee: They are false. They are not true. That is my answer.

Tribunal President: You are not compelled to testify today if you do not want to.

Detainee: On the day of judgment, I am innocent. That is what I am saying.

Tribunal President: Abdenuor, you may now present any evidence you have to the Tribunal. And you have the assistance of your Personal Representative in doing so. Do you want to present any information to this Tribunal?

Detainee: Evidence regarding what?

Tribunal President: The information that was just read by the Recorder.

Detainee: I am captured by whom? Who captured me? Is it the United States that is holding me?

Tribunal President: Right now? Are you asking the question who is holding you right now?

Detainee: Yes. Who is holding me? Who brought me here?

Tribunal President: The United States is holding you here.

UNCLASSIFIED//FOUO

Detainee: On the first day, who caught me and where did they capture me?

Tribunal President: I don't know. That is what we need to ask you.

Detainee: The United States bought me. They bought me with money from the Pakistani dogs. That is it.

Tribunal President: Are you beginning your statement now?

Detainee: Yes.

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

Detainee: Under what?

Tribunal President: Under a Muslim oath.

Detainee: Of course.

Tribunal President: Recorder, please administer the Muslim oath?

Recorder: Muslim oath.

Detainee: There is no in the name of God, the most compassionate and the most merciful in the swearing. I will just say I swear by God I am innocent. That is the swearing.

Tribunal President: That is fine if you would like to swear to that.

The Detainee was sworn using a Muslim oath of his choice. The Detainee declined using the prepared Muslim oath. The Detainee testified to the Tribunal in substance as follows:

Tribunal President: Abdenour, you may begin to give us your statement.

Detainee: What statement.

Tribunal President: You indicated to me earlier that you would like to give a statement.

Detainee: I was in Britain living normally. Living normally just like anyone else. I lived far away from Finsbury Park. In Finsbury Park there are many Algerian restaurants and stores and things like that. There are Algerian shops and stores in Finsbury Park, but I would also pray over there. That's it. I knew people there. He helped me to go to Afghanistan. That's the story, that's it. They captured me in Pakistan.

UNCLASSIFIED//FOUO

Detainee: And that's it. I was living in Afghanistan for four months only. How can you say I was Taliban or Al-Qaeda when I was living there for four months?

Tribunal President: Does that conclude your statement?

Detainee: You have my statements in the interrogations.

Tribunal President: Would you like to respond to the allegations that are on the unclassified summary?

Detainee: I just answered. I told you I am not Taliban and I am not Al-Qaeda.

Tribunal President: Okay. Personal Representative, do you have questions for the Detainee?

Personal Representative: Yes, Ma'am. During our interview, and you said you spent four months in Afghanistan. You also said you were in Jalalabad and you fled to Tora Bora?

Detainee: Yes.

Personal Representative: Can you explain why you went to Tora Bora?

Detainee: Because Jalalabad fell. The intruders came in and we did not know why Jalalabad fell. So we escaped. We helped our women escape first and then we escaped through the mountains.

Personal Representative: Were you pick up or arrested by the Pakistanis?

Detainee: Yes.

Personal Representative: Did they put you on a bus.

Detainee: In a prison, then after an hour and half I was put on a bus.

Personal Representative: On a bus?

Detainee: Yes.

Personal Representative: Where did that bus go?

Detainee: They told us we were being taken to the embassy; then from the embassy to our home country.

UNCLASSIFIED//FOUO

ISN #659
Enclosure (3)
Page 3 of 14
003526

UNCLASSIFIED//FOUO

Personal Representative: They did not take you to the embassy?

Detainee: They did not take us to the embassy. We were on the bus and they were driving. We were Arabs on the bus. They would talk in the same language as us. They cursed at us and told us they were going to hand us over to the Americans. They called us dogs and they said they were going to sell us to the Americans.

Personal Representative: Did they hand you over to the Americans?

Detainee: Yes.

Personal Representative: Okay. Thank you

Tribunal President: Recorder, do you have any questions for the Detainee?

Recorder: Yes, I do Ma'am. Did you go to Al-Farouq training camp? Did you receive training on the AK-47?

Detainee: These question I have answered a million times before. I told you I have never went to Al-Farouq. I was living in Jalalabad, and then ten days in Kabul. That is it. That was all the places I went in Afghanistan.

Recorder: Were you aware, had you been told by someone that something would happen regarding an attack on the United States prior to September 11th, 2001?

Detainee: I told them this in Kandahar during the interrogations because the interrogators were dogs. I was injured. I had an injury in my leg. I had metal sticking out of my leg and they would not clean the wound; they would not give me treatment. So I told them whatever they wanted to hear. They just wanted anything. Any information. I just told them anything; whatever they wanted to hear because I wanted them to treat my leg. I saw other people there whose legs hag to be cut off (amputated as a result of injuries.) I did not want my leg to be cut off.

Recorder: Thank you.

Detainee: If you were in my place; if you were in Kandahar you would have done the same thing. Just like a small child.

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

Tribunal Member: Who helped make your arrangements to go to Afghanistan from London or from England?

Detainee: A person I knew at the mosque. His name was Noor El Din.

ISN #659
Enclosure (3)
Page 4 of 14

UNCLASSIFIED//FOUO

003527

UNCLASSIFIED//FOUO

Tribunal Member: How was your leg injured?

Detainee: After we escaped from the bus the Pakistanis shot me in the leg.

Tribunal Member: When you were in the Tora Bora region, was there any fighting going on?

Detainee: I was not in the area where the fighting was going on. I was up far away in the mountains where the snow and ice was. There were old men who could not go through the mountains with my group. We would go fetch them water from nearby villages.

Tribunal Member: Were you armed at any time while going through the mountains?

Detainee: I left my weapon at the house in Jalalabad when we left to help our women to escape. I forgot it there.

Tribunal Member: So you had an AK-47 in Jalalabad?

Detainee: It was not mine. It was the guesthouse's and they gave it to me.

Tribunal President: Abdenour, would you not play with your chains because the noise is interfering with the translations.

Detainee: Yes. I am just nervous that was why. I have never been in a courtroom. I am not a person who goes to court.

Tribunal President: This is not a courtroom, but I understand your being nervous.

Detainee: It is not a court to you, you are saying it is not a court. But to me it is a court.

Tribunal President: I understand.

Tribunal Member: How long were you at the guesthouse?

Detainee: I told you I was there for about four months. About three months in the guesthouse; ten days in Kabul; and twenty days in the mountains. That's it.

Tribunal Member: Did you go to Kabul first; and then to Kandahar?

Detainee: I never went into Kandahar.

Tribunal Member: I am sorry, I meant Jalalabad.

Detainee: First I went to Jalalabad and I was living in Jalalabad.

ISN #659
Enclosure (3)
Page 5 of 14

UNCLASSIFIED//FOUO

003528

UNCLASSIFIED//FOUO

Tribunal Member: What did you do while you were at the guesthouse? What did you do in Jalalabad?

Detainee: We would wake up in the morning. We would pray the morning prayers. Then we would walk across a very long river, about 300-400 meters. We would go and play soccer. After playing soccer in the morning we would come back and we would eat breakfast. Then we would have a session where we would read the Koran. After that everyone had something to do. Someone would go to the market; someone would clean the guesthouse; someone was in charge of cooking. Everyone had a certain thing to do.

Tribunal Member: Where did you get the money you needed to travel and also support yourself at the guesthouse?

Detainee: My older brother had a house. I helped him with his house. I used to paint and put wallpaper up. I worked in the garden. Then I told my brother I wanted to leave and go to another place. I was renting a room from a man named John-Michael. I told my brother I was going to leave. I did not tell him I was traveling. When I was doing the housework, I was not getting paid right away. John-Michael would always ask me where was my money for the rent. So I decided I wanted to leave. I told my brother to give me money so I could get my own place. I was also getting money from a Government organization in Britain that gave people money to pay the rent. The Government made you very dependant on them. They take their time bringing you the money for the rent and they did not make you feel very good. So I wanted to have my own money to pay my own rent and I wanted to get out of that system.

Tribunal Member: That is what I am trying to get at. Where did you get the money for the trip to Afghanistan? It sounds like you were not working in Afghanistan, so how did you support yourself?

Detainee: I got the money from my brother.

Tribunal Member: Did you receive any type of military training while you were in Afghanistan?

Detainee: It was not my intention to go training.

Tribunal Member: But did you train?

Detainee: No, I did not train.

Tribunal Member: Who were the other people staying in the guesthouse with you?

Detainee: Noor El Din. Another person named Abdel Hafiz, he was a cook. Then the person in charge of the guesthouse named Gaafer.

ISN #659
Enclosure (3)
Page 6 of 14

UNCLASSIFIED//FOUO

003529

UNCLASSIFIED//FOUO

Tribunal Member: Was this a Taliban guesthouse?

Detainee: Not Taliban, not Al-Qaeda. Nothing. It was just a guesthouse for Algerians.

Tribunal Member: If it was just a guesthouse, why did they have guns?

Detainee: How can you be in Afghanistan without a weapon? It is impossible to be in Afghanistan without a weapon.

Tribunal Member: Where did you learn to fire the AK-47?

Detainee: I was in the Army in Algeria. The Algerian dogs they taught me how to shoot the AK-47. We would go in the streets and kill innocent people, so I decided to leave the military or the Army.

Tribunal Member: In the unclassified evidence, it says that you support the Taliban ideology; is that still the case?

Detainee: Please clarify this question.

Tribunal Member: The unclassified evidence I have before says you are a supporter of the Taliban.

Detainee: Ideology? What ideology? I don't know the Taliban. I was living and staying with Algerians. What are the Taliban's ideas?

Tribunal Member: Well if you do not know the Taliban, then I would assume you do not support the Taliban ideology.

Detainee: What ideology are you talking about? Because Taliban has many people. They have the good people, the bad people, the hypocrites, and liars. Many kinds of people. So which ideas are you talking about?

Tribunal Member: The extreme Islam state.

Detainee: People who are in the Taliban that are good people, good Muslims who want to help and do good; like stop crime, drugs, stealing and so on. They have good ideas. Those are the people that I would help.

Tribunal President: Noor El Din is the person that helped you get to Afghanistan? Is that correct?

Detainee: Yes.

UNCLASSIFIED//FOUO

Tribunal President: How did you know Noor El Din?

Detainee: I knew him at the mosque in Finsbury Park.

Tribunal President: Was he a friend of yours, an associate, or just someone that attended the mosque?

Detainee: No, I just knew him at the mosque only.

Tribunal President: Did Noor El Din travel with you to Afghanistan?

Detainee: No, I traveled by myself.

Tribunal President: Did he tell you where to go or who to meet in Afghanistan?

Detainee: In the beginning when we were there in Finsbury Park; it was a small place. It was a small video rental store. They sold things like small perfumes that Muslims use. I was renting tape about Chechnya and Bosnia and Afghanistan and Algeria. I met Noor El Din there.

Tribunal President: You met Noor El Din at the mosque and at the store?

Detainee: It's all in the mosque. When you come outside the prayer room where you actually pray, there was a little store that sold these tapes inside the mosque.

Tribunal President: I understand now. When did you leave for Afghanistan?

Detainee: The year 2001.

Tribunal President: What month?

Detainee: I don't remember the month. It was in the summer because the weather was hot.

Tribunal President: Can you repeat again, why did you go to Afghanistan?

Detainee: Noor El Din told me he would show me the tapes and talk to me about them. He told me that living in England among the infidels might lead to greater things like neglecting my prayers, sinning, drinking and it might lead to things I did not want to go to. So it was better if I moved somewhere else, like Afghanistan. He told me to go there, live there and see if I would like it there. If I decided I could live there, then he said that he would help me figure out how to build a house there.

UNCLASSIFIED//FOUO

Tribunal President: Who is the he you are referring to?

Detainee: Noor El Din.

Tribunal President: Did he tell you to meet with anybody in Afghanistan?

Detainee: Noor El Din told me when I got to Pakistan, leave the airport in a taxi headed to Islamabad. In Islamabad on the main road on the left hand side, there would be an ice cream shop. Noor El Din told me to go there and wait there until the Afghan man would pick me up. Noor El Din gave me the phone number for this Afghan man and told me to call him when I got there.

Tribunal President: What was this Afghan man's name?

Detainee: Mohamed.

Tribunal President: Is there a last name?

Detainee: I did not know the family name. Mohamed just picked me up and took me to Afghanistan. That was it.

Tribunal President: So this man knew you? Did you know him? How did you identify who this man was?

Detainee: We did not know each other. I called him on the telephone and told him I was at the ice cream shop; and he came and got me. When he came to the ice cream shop, he recognized me because I did not look like a Pakistani. I looked like a foreigner and he knew who I was.

Tribunal President: How long were you in the Algerian Army?

Detainee: Six months and then I escaped.

Tribunal President: You spoke about some rented videotapes. Can you tell me what was on those tapes and what did you review?

Detainee: Did I rent them to people or did I rent them?

Tribunal President: The ones that you rented?

Detainee: Yes.

UNCLASSIFIED//FOUO

Tribunal President: What were on the tapes?

Detainee: Fighting things. Like Bosnians going in on Muslims killing them; killing Muslim women; what they did to the women; killing children. Things like that. The tapes would also show you the reaction of the Muslims. How they went to these infidels and killed them and what they did. With the Chechnyan one, it was the same thing. The Algerian tapes showed how forces loyal to the general in Algeria would go and kill innocent people. Kill Muslims. They showed you what they would do to those Muslims. They pretended they were civilians but they were mujahadin and they would go and kill innocent people. They would say to us, this is what they are doing to your brothers. They showed you how the mujahadin would react to that. How they went to these soldiers and killed them or fought them.

Tribunal President: How did this make you feel?

Detainee: I knew the truth before I left Algeria. I knew all these things.

Tribunal President: Help me to understand how did that make you feel inside? What did it make you want to do?

Detainee: I felt that these people were dogs, beasts, monsters.

Tribunal President: Do you have any other evidence or any other statements you would like to make?

Detainee: About what?

Tribunal President: Anything.

Detainee: I just want to say that I am innocent. You know that I am innocent. I was caught by the Pakistani dogs. I have been here for three years. I gave the interrogators my real name and my address. They know everything about me. In the three years I have been here, they have not been able to figure out if I am a criminal or not. In three years. That is it. If I were a criminal or really a fighter, I would not have been caught alive. God willing. If I was really mujahadin, I would not have been caught alive. If they had caught me, I know what they would have done to me.

Tribunal President: Does that conclude your statement?

Detainee: This is a court. Do I give the answers or do you give the answers?

UNCLASSIFIED//FOUO

Tribunal President: I asked you a question and I would like for you to give me an answer.

Detainee: What was the question?

Tribunal President: The question was does that conclude your statement?

Detainee: I don't have a statement. What do you mean by statement?

Tribunal President: The comments that you just made.

Detainee: The accusations are not getting into my head. If I stay here for a million years I will not understand them because I am innocent.

Tribunal President: I understand. Does that conclude your statement?

Detainee: No, I don't have anything. Why am I here? If I am a criminal, they just try me and give me twenty years. Why am I here in Cuba being treated like an animal.

Tribunal President: I can't answer that question. I have to go through all of your documentation to find the answer to that question. I can only look at the evidence that is before me to determine whether you are an enemy combatant or not.

Detainee: Enemy combatant to whom? Whom am I an enemy combatant to?

Tribunal President: To the United States and its allies.

Detainee: The United States. The first time I ever saw an American was in a hospital in Pakistan. That was the first time I saw an American. So how can you tell me I am an enemy to the Americans or a combatant to the Americans. I never knew any Americans my whole life. How can you be an enemy to a person you have never seen?

Tribunal President: Is that a question you are asking me to answer?

Detainee: Yes.

Tribunal President: I am not able to answer that question at this time. My question to you is do you have anything else that you need to say?

Detainee: What do you want me to say? Do you want me to sing to you?

UNCLASSIFIED//FOUO

Tribunal President: No. I would like for you to say yes or no if you have any more questions.

Detainee: I am not a combatant. If I wanted to fight, I would have fought in Algeria. I have friends who are fighters. Why would I not fight in Algeria? Why would I go all the way to England and fight?

Tribunal President: That is a statement and is that the end of your statement?

Detainee: I am not a combatant. I am not an enemy. I am not Taliban. I am not Al-Qaeda. I am not anything. I am just a Muslim with ideas of living in a Muslim country. Afghanistan was a Muslim country.

Tribunal President: Okay. Does that conclude your statement?

Detainee: I don't have anything. You have the questions. You are the ones who is deciding this.

Tribunal President: Personal Representative, do you have any other evidence or does the Detainee have any previously approved witnesses to present to this Tribunal?

Personal Representative: No, Ma'am. No previously approved witnesses, nor were any requested. I have no further evidence.

Detainee: Yes.

Tribunal President: All evidence having been provided to this Tribunal, this concludes this Tribunal session.

Detainee: What is the classified evidence?

Tribunal President: I said unclassified evidence.

Detainee: Okay.

Tribunal President: Abdenour, you shall be notified of the Tribunal decision upon completion of the review of these proceedings by the convening authority in Washington, D.C. If the Tribunal determines that you should not be classified as an enemy combatant, you will be released to your home county as soon arrangements can be made. If the Tribunal confirms your classification as an enemy combatant, you shall be eligible for an administrative review board hearing at a future date.

Detainee: If you decided that I am an enemy combatant then try me in court.

ISN #659
Enclosure (3)
Page 12 of 14

UNCLASSIFIED//FOUO

003535

UNCLASSIFIED//FOUO

Tribunal President: The Administrative Review board.... (Detainee started speaking and interrupted the Tribunal President as she was speaking). Abdenour, Abdenour.

Detainee: I am not going to talk in a hearing in a court.

Tribunal President: Please let me finish Abdenour. I need to make sure that you understand the process. (Detainee started speaking and interrupted the Translator as she was speaking). Abdenour, you have become disorderly and I can have you removed from this Tribunal.

Detainee: I am listening to you.

Tribunal President: The Administrative Review Board will make an assessment of whether there is continued reason to believe that you pose a threat to the United States or its allies in the ongoing.. (Detainee started speaking and interrupted the Tribunal President as she was speaking). Abdenour, that's it. All rise.

The open session of the Tribunal paused and the Detainee was removed from the Tribunal proceedings for becoming disorderly.

The open session of the Tribunal continued without the Detainee's presence.

Tribunal President: In view of the fact that we have removed the Detainee, we will not go over the instructions or information pertaining to the Administrative Review Board. We have just gone through the open session of the Tribunal and we will now go into the closed session of the Tribunal.

Reporter/Paralegal: Are we formally adjourned now, for the open session?

Tribunal President: Yes.

Reporter/Paralegal: I need you to say that Ma'am.

Tribunal President: The open session of this Tribunal hearing is adjourned.

Recorder: All rise.

UNCLASSIFIED//FOUO

AUTHENTICATION

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



Colonel, US Army
Tribunal President

ISN #659
Enclosure (3)
Page 14 of 14

UNCLASSIFIED//FOUO

003537