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Summarized Unsworn Detainee Statement (but see page 2 where the Detainee agrees to take his own oath and makes a sworn 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 Tribunal President stated that the Detainee wants to participate and has requested two witnesses, one witness from Pakistan and one witness from Yemen. The Tribunal President ruled that these two witnesses are relevant to this tribunal hearing. The witness request was sent to the United States Department of State on 22 November 2004 with a request to contact both governments for assistance. As of this date, 7 December 2004, the Department of State has received an acknowledgment response for the request from both embassies, but they appear not to be supportive of the request. The witnesses have therefore been deemed not reasonably available.

Tribunal President: Mohammad Ahmad Ali Tahar, you may now present any evidence or information you have to this tribunal, and you have the assistance of your Personal Representative in doing so. Do you still wish to present information to this tribunal?

Detainee: Do I talk now?

Tribunal President: Yes, and would you like to make your statement under oath?

Detainee: Yes. That means do I give an oath? As you see fit; I have no problem with taking that oath.

Tribunal President: We have a Muslim oath prepared if you would like to take the oath.

Detainee: No problem.

Tribunal President: Very well, thank you. Recorder, please administer the Muslim oath to the Detainee.

At this point, the Recorder begins to administer the oath, but was interrupted by the Detainee.

Detainee: You are not Muslims. I want to do an oath without him talking. He is not a Muslim.

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Tribunal President: Very well. Would you like to take an oath in your own words? You may do so at this time.

Detainee: I swear to tell the truth. I swear to tell the truth.

Tribunal President: Very well, thank you.

Summarized Sworn Detainee Statement

The Personal Representative read the accusations to the Detainee so that he could respond to the allegations. The Detainee has a question before starting his statements. The allegations appear in italics, below.

Detainee: Do I have to respond to each point, including the title, saying that the Detainee is associated with the Taliban or al Qaida?

Tribunal President: You can respond to any of the items on the unclassified summary as you choose to.

Personal Representative: (To interpreter) Please relate to him that I recommend that we go one at a time, because that's how we could get his story out about each one of these accusations.

Detainee: That's good.

3.a. The Detainee is associated with the Taliban and al Qaida.

3.a.1. The Detainee traveled to Yemen for (from) Pakistan in September 2001.

(The personal representative clarifies that the 3.a.1. should read "from" instead of "for".)

Detainee: My response, first of all, was that I was captured inside Pakistan. Second of all, I don't belong to nor am I associated with any group. I never had any association with any organization even before. I'm just a student that went there to collect and gather information to help me with my studies. I didn't have any intention; I had only personal intentions of doing the things related to my studies. I didn't have any intentions to help or to do anything with any organization. Or, not even having anything to do with Jama'at al-Tablighi, which is like propaganda, or try to give the Islamic word out there. I didn't even have that intention. I just went for personal reasons to gain knowledge and come back. I never heard of this Taliban or al Qaida before. It's the first time I ever heard of these two names in all of this, is when I got here, to Guantanamo Bay, Cuba. I didn't know what these names were, I didn't hear about them, and I didn't have intel, or anything about them, until I got here, at the Guantanamo camp. Up to now, I really still don't know what these people's goals are. What they are, and what is the definition of these people, and what are they trying to do (referring to al Qaida and Taliban). From

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what I know, all the interrogators, and as I mentioned with my meeting with the P.R., that these people, the Americans, are just trying to tie some people to the incident of 9/11, and to have someone pay for that. They are trying to find the connection and to put me in that connection, the connection to these people. I heard earlier that you really wanted to get to the truth and to be just. I love that and I appreciate that. What you are doing is a good job, very good. But, I only hope that there will be no injustice in this world. Because, you know, that injustice will come back to you anyway. Because I have no means, or no ways of defending myself; I have no lawyer. I don't have any way to get witnesses to prove that I am really innocent of all this. I was hoping that all the time that I have been here, that they would look, look at my file, and search the information for them to prove, and to read and get to a reasonable conclusion to clear me from all this.

This is my entire story about me traveling from Yemen to Pakistan. I traveled by official means. I traveled through a Tabligh organization; I didn't hear or didn't know that this organization favored or was encouraging the Jihad or doing Jihad activities. This organization existed in the United States and even in Tel Aviv. And if I had known that this organization was a terrorist organization, I would never be associated with them. Because I didn't have enough money, I chose Pakistan. That's why I chose to go there and study medicine. I saved up some money and I was told that some organization would help me, and they helped me immediately. They gave me all the information, and they said yes, Pakistan has a good medical program; it's not that hard, it's a good program and it's not that expensive. That's why I went there to find out for myself to see if I would be able to study medicine there or not. So if my plan was successful then, and if I found out that it's really good for me and they can do it, I would stay, and if not then I would go back.

I wrote many letters to my family, but I didn't get any response or any help from them or the military. I didn't get any letters back. I wanted to ask my family to gather information and to help me prove that I finished high school, and that I was fine, to prove that all this is not funded, not based on any reasonable proof. That's what I was trying to get my family to give me.

I was not even twenty at that time. They (apparently Jama'at al Tablighi) wanted to do something humanitarian and I wanted to go and do my duty, study with civilians and help people. Look, I'm not involved in this big problem and all this mess, and I have nothing to do with them. That is really all my story, really, and I wasn't given the chance to prepare my defense, or help myself, gather witnesses or to see if this is not correct or not true. If you check the Pakistani government and the Yemeni government, they know everything about me. All I wanted was just for you to look deeply into my case and to take into consideration all these things. I would like the Americans not to be unjust or judge me at all, really, because that will reflect badly on the Americans. They preach justice and they don't want to be unjust against anybody or to do wrong to anybody and that's what they swore to do. You and I hope that you will be just.

Tribunal President: I can assure you of that, and you witnessed that we took an oath and we are bound to be fair and offer justice. We are here to determine whether you have

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been properly classified as an enemy combatant. We have come here with an open mind. We have seen nothing about you until today, with these two pieces of paper. We have determined your witness request to be relevant and asked for responses from the two governments that you requested. For whatever reason, those two governments have chosen not to respond. We will not hold that against you. We will still look at all the evidence, all the files, and all the information and with an open mind and with a fair and just purpose make a determination whether you have been properly classified as an enemy combatant.

Detainee: I have reason to tell you why I chose the Yemeni government. When Pakistan captured us, I made a mistake, I did something wrong in Pakistan. I was really surprised to see these allegations from people who are not Pakistani. After that, Pakistani and American Intelligence interrogated me. The Pakistani government put a condition that if there is no proof against me, and I didn't do anything, that they would leave me with the Pakistani government and the Pakistani government will deliver me to my country, Yemen. The interrogation station was in front of me and it was the army translator and the interrogator from the Pakistani intelligence said yes, all of what this man said is correct and all he said about his story in Pakistan is correct and therefore that is why we are going to give him back his passport that we took. I would not stay long in Pakistan; I planned on going back to Yemen. I was really surprised that the American intelligence refused all of those proofs and they said no. We still need him, they said, and then they took me. That's why for these reasons I chose the Pakistani government as a witness because they have all this information and they know everything. I also chose the Yemeni government because I'm sure my government will confirm what the Pakistanis are saying. That's why I am very confident that will be the case. I have great confidence that you will find out too, that what I'm really saying is true and that I really don't have anything to do with all these things that are being said about me. That's why when you make your conclusion, your decision, you'll be confident and you will have no doubt about it, you'll be comfortable with it.

Tribunal President: I'm sure we will have no doubt about it, because we will make sure that there's a preponderance of evidence that will guide us in our decision.

Personal Representative: Now, I need to mention some things that we talked about in the interview. And I'll say that, and he can talk about it.

Detainee: OK, if you want to make comments about each point, that's fine. But, really, I'm not going to respond or say anything, because this is all that I have to say. This is my story. But, you can go ahead and read every point.

Personal Representative: OK. Tell him I will because when we first met I told him that as his P.R., everything that we discuss might be compelled to say at his tribunal. Does he remember me telling him that?

Detainee: Yes.

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Personal Representative: So, I will mention that if he feels compelled to say something he should; if he doesn't want to, then he doesn't have to.

Detainee: Yes, I would like you to read the points, and I will just confirm it or deny it. And we will go from there.

Personal Representative: (Reading from notes taken from previous interview) Good. When we met, we discussed, regarding number one, that yes, what he did was travel from Yemen to Pakistan, he had a passport, a plane ticket, money, all legally traveled. He went to study medicine at the University. However, he did not get a chance, or an opportunity to register to attend the classes when he got there. He was there about three to four months then he was arrested. He got there and met the Jama'at al-Tablighi, and was using them as a way to start to study medicine. They asked him to study the Koran.

Detainee: Yes, that's true.

Personal Representative: That's all the notes I took for number one.

Detainee: Yes.

3.a.2. The Detainee was sent by the Jama'at al-Tablighi to travel.

Personal Representative: (Reading from notes taken from previous interview) During our discussion, he said that he paid for himself to get to Afghanistan, and he was accepted from them to travel to Pakistan to attend a school. I'm saying he paid for himself to get there, and that he was accepted to attend the school. It was his intention to go there and study medicine.

3.a.3. The Detainee obtained his travel visa through Jama'at al-Tablighi.

Personal Representative: (Reading from notes taken from previous interview) Yes, that's true. Everyone knows they have no relationship with the Taliban or al Qaida, after September 11 the Americans started to say they were associated with the Taliban and the al Qaida.

Detainee: These are my words to you?

Personal Representative: This is from my notes of what you said.

3.a.4. The Detainee was met by a member of Jama'at al-Tablighi in Pakistan.

Personal Representative: This is true.

3.a.5. 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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Personal Representative: (Reading from notes taken from previous interview) He said that he never had any idea that this was used as a cover. He never knew that it was ever associated with al Qaida.

Detainee: If I've known that they were a terrorist organization I would have never gone to them.

3.a.6. The Detainee was sent a personal greeting from the Taliban Deputy Minister of Intelligence.

Personal Representative: (Reading from notes taken from previous interview) Per our conversation, he said that he never received a greeting; he does not know the meaning of the Taliban, he said, I never ever was in Afghanistan.

Detainee: May I talk here?

Personal Representative: Of course.

Detainee: When we talked about this specific point last time, and I said that I did not know the Taliban or have association with them. He said yes but again they are trying to find any connection or any relation between you and Taliban or al Qaida. Somehow they are trying hard to find any connection. I was wondering if the Americans are going to force the issue, force me in connection with these people, even if it wasn't true? And he told me no, no, and so I said, I came to Pakistan; I have no relation with these people. I lived a winter in Pakistan so what's the relation? I don't know, it looks like they want to put these accusations on me, and somehow, they want me to give out a witness (inaudible) This guy, this minister of intelligence, he's a hotshot, a big guy so, I'm just a simple man, what do I have to do with him? I'm sure it was just a mistake that it was somebody else that was mentioned there, and thought that it was me. It could be the name of another person. They know these things and somehow they still have to connect me one way or another. I would like you to read it more, seriously and deeply to this point.

Personal Representative: Also, if I may, I think I told him that later on in a closed session that I may have some information to present to what he may be talking about.

3.a.7. A senior al Qaida lieutenant recognized the Detainee in a photograph.

Personal Representative: (Reading from notes taken from previous interview) His response I don't know al Qaida, I don't know the meaning. He doesn't know the meaning of al Qaida.

Detainee: I'm sure that he is mistaken by looking at this picture. I'm sure he's looking at this picture, and looked at that picture. It might be of another man, and he said it's me. Because sometimes when you look at the pictures, you think that you are sure that this is the right person. But you need to see the person physically and you realize that is not.

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That's why I'd like to meet this person and see if he can see, and show him that it's not me. That's all.

3.a.8. The senior al Qaida lieutenant ran an al Qaida safe house where a number of al Qaida members were captured.

Personal Representative: (Reading from notes taken from previous interview) His response was that the person who was running the house where he stayed at was a part of the University. The name of the person who that ran it was Issa, a Pakistan who was from the University.

Detainee: That's true.

Personal Representative: (Continues from notes) I never thought or believed in or do not believe that Issa, who ran the house, was al Qaida. He would come and go and run the house.

Detainee: That is correct.

3.a.9. The Detainee was captured in this safe house.

Personal Representative: (Reading from notes taken from previous interview) This was the house he was captured in. I had no idea why the Pakistani government raided us. The Pakistani told him that, I think this is what he was alluding to earlier, that this was not a safe house.

Detainee: And also, I wanted to add that for me being with the people that were in that house, me talking to them, and being with them, I never noticed anything that had to do with terrorism or Jihad or anything. I never noticed anything that would indicate that they were in these things. If I have noticed any slightest thing, I would not say anything. I was just staying there, listening to lessons, learning that information, doing our duties, our religious practices, eating and just waiting for the results, or response from the University to see if we were going to be accepted and be able to stay there and study or not. That's all we were doing. I didn't have any information and I didn't have any knowledge or any indication that this house belongs to, or was a safe house or anything. From what I knew, this house belongs to Jama'at al-Tablighi and this has nothing to do with anything else. I used to ask Issa, the guy who was in charge of managing the house when am I going to leave, when am I going to get a response...? He said just wait, just wait, be patient, you'll get a response.

3.a.10. The Detainee stated that he is a terrorist.

Personal Representative: (Reading from notes taken from previous interview) His response to me was I must've been misunderstood. Some stuff I did not understand.

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Detainee: I admit that I don't understand everything. And I'm just a simple person and maybe during these interrogations I might have understood in my way but I started saying yes, to how I understood it, but it was the wrong word. That's why I may have said something I didn't understand too. That's all.

Personal Representative: Do you have anything else to add?

Detainee: No, I'm fine. No, I don't have anything else.

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

Personal Representative: Thank you, Sir. Yes, I do have a couple. It was about a three or four month timeframe that you were waiting to get into the University; what did you do (during that time)?

Detainee: I was just trying to memorize the Koran.

Personal Representative. Okay, my second question. Did you ever participate in any terrorist activity?

Detainee: I don't know what this is. What is the meaning the meaning of terrorist? I don't even know what that term is.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. Good morning. We are pleased that you took the time to explain your situation to us today. As the president mentioned, we haven't seen your file prior to coming to the tribunal. However, there are some things that you said that make us familiar with your story because some of your Yemeni brothers in the house have come before us in the tribunal. When you left Yemen to go to Pakistan, was it your understanding that you had already been accepted at this school for medicine?

A. No, I didn't know. I went there to find out, I just had the information about this University.

Q. But, they have a medical school there?

A. Yes.

Q. You mentioned the Jama Salafia (ph); was this the University that you were trying to attend?

A. No, I didn't have the knowledge. The Pakistani (inaudible) introduced me to this. Before I traveled, and one of the guys who interviewed me told me that there are so many Universities in Pakistan that would interest you in medicine. But on one condition, you have to memorize the Koran; you have to learn the Koran. This happened in Yemen.

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And then I left to go to Pakistan. I found one interviewer, his name was Ismye (ph), who showed me a University that will teach you how to memorize the Koran. I had this information in Yemen. I had to memorize the Koran. I went to this group; at the university and they didn't know if they would accept me. I might just go, to go and memorize the Koran. My decision of choosing this University is just because it was a requirement for me to go to medical school. That's what the education person said, that's why. And according to the information I had in Yemen, that is one of the condition to get accepted to medical school, you have to know the Koran. That's the only thing, that's why it was a condition, I wanted to get that condition out of the way. That was the reason why I traveled to interview.

Q. But, you could've memorized the Koran in Yemen, without having to go all the way to Pakistan. Yet you wanted to go to Pakistan to do that?

A. There is no doubt about that. That is true. Yes, but there will be a big difference in me learning the Koran in Yemen, or me learning it there, following their requirements, their conditions they put for us to get there. And I wanted to make sure myself, does this condition really exist, that you have to memorize the Koran, and I was really in doubt that this condition was really there. You have to memorize the Koran, to get into the medical school. This information was given to me by Jama'at al-Tablighi, so I was really hesitant. I had my doubts, as every medical school that you have to memorize the Koran, to be able to get into that medical school in Pakistan. That's all about that.

Q. Sounds like more of a school for religious studies than for medical school.

A. Yes, of course, there was no medical school in that University.

Q. So the Tablighi people helped you get to Pakistan and to the house where you stayed and then for three or four months you just studied the Koran the whole time?

A. Yes, this is just from the knowledge, information site, but all the expenses, I paid them. Any financial expenses, I paid them.

Q. Did you have enough money to support yourself or did you have to go out and work to earn money there?

A. I was always working since I was very young. I was going to school and working. I really had enough money to support myself for a long time. To prove that I had money, when I was captured I had some dollars with me. It was over two thousand dollars, and you have it now, with you, its here, with my passport and tickets.

Q. If everything had gone according to your plan, how would it have worked?

A. The purpose was to visit Pakistan and to gather all the information needed and see how things are going to go, and then to go back to Yemen, get all my diplomas, my credits, everything that I would need, and go back and go straight to school. I would bring all the documents necessary from the government and all that, to go to the university, that was the plan.

Q. How long were you initially planning to stay in Pakistan?

A. I really didn't know how long. I was expecting it to be a month or two.

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Q. But it just kept lasting longer and longer?

A. Yes, these people were starting to make problems and they were delaying things. My passport was with them, everything was with them and they just delayed it, and there were lots of delays. I don't know the country. If I had problems I would argue with them, but if I go out, I might get lost. They had all my papers and everything that's why. They kept delaying things.

Q. Why do you think there were so many delays?

A. I asked them many times, they said oh no, wait, just wait, you know how the Pakistanis, how they are. Even their Army wasn't that good, so sometimes I leave, because I can't understand their response, so they said, wait just wait.

Q. It would seem that if they brought you all the way over there, that they would try to help you get what you wanted?

A. That was their intention, yes I had confidence in them but that's how they were behaving to me. And I wasn't comfortable at all. I was not happy with them, because, my passport had expired, my plane ticket I bought, problems with my Visa, the plane ticket, all that, I wasn't happy with it. I was very definite that the Visa was going to expire and the plane ticket also, so I wasn't happy. This is all I paid for it financially.

Q. Could you please explain the circumstances of how you were captured?

A. What conditions? You know everything, so what do you mean?

Q. I assume you were arrested in the house? Or was it from somewhere else?

A. I was in the house, I have all my documents, my passport, my plane ticket, my visa, I was legal, and everything was official. I kept my papers with the manager of that house, Issa, and he used to come on and off. During this waiting period, the Pakistani police came and they invaded the house. When they personally captured me, I didn't have any problems with them, I was calm. I gave them whatever they needed; I didn't cause them any problems. I thought they were just going to get some information from us, from me, which is their right, which was fine. The Pakistanis took me. They took us to the interrogation place, and from there, the sad story and moving started.

Q. How long have you been here at the camp?

A. I don't know the date exactly, but I think it's about two to two and a half years. In Yemen, if you have problems in country, they capture you, they investigate and interrogate you, you go to the court and see the judge, and when its done, its usually within weeks, a month at the most. But, with Americans, look, it has been three years.

Q. The concern, of course, is some of the points on the summary, which you had addressed earlier, particularly the ones concerning the greeting you supposedly received from the Taliban minister and the al Qaida officer recognizing you.

A. He says that also these two points are still a mystery for me. I mean, it doesn't make sense, you can ask a child, if you ask him, please, look into this, this hotshot, this

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minister, who ever said this, or whoever, it doesn't make sense. I hope you would look at it deeply and with a strong mind.

Q. Because, that is the two bases for our concern, you say you didn't know who they were, but for some reason they seem to know who you are.

A. How did this happen? Can you bring them in front of this tribunal? Or in front of this... your law says that you can. You didn't bring them, and I even asked you, but you didn't. We are following the rules and laws. How come these laws do not apply?

Tribunal Member: Certainly if we had the ability to bring the people whom you had requested we would have done so.

Detainee: I heard in the beginning that you couldn't bring these people because of things I did.

Tribunal President: That was previously explained, and also we said, and I will say it again, that we do not hold it against you because the people did not respond to the request.

Detainee: You are referring to the Pakistan and Yemen Government, no, that's not what I was talking about. I'm talking about the videos. I heard in the beginning that you said, you said you could not bring these people, the people that saw me, and the people that saw me and said such things about me.

Tribunal President: Well, naturally, because as was explained also earlier, some of that information has national security implications for the United States and cannot be released.

Detainee: Okay.

Tribunal President: But, in any case, we accept your testimony today, in whatever form you choose to give it.

Detainee: Me, too, I listen to whatever you say, how you present it, and give it its importance to this tribunal.

Tribunal President: Thank you again.

Q. When you left Yemen for Pakistan, did you have a roundtrip ticket?

A. I really don't remember. But I know I have my ticket and it's written there, you will see. I mean, if you look at my ticket, you will see if it was a round trip ticket or not. But, I am sure it was a roundtrip ticket, but of course, it would have to be a round trip ticket.

Q. The papers that you talked about during our questions, you mentioned a passport, tickets, visa, etc., ...have you seen them since you have been here in Cuba?

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A. Yes, they gave them to me one time, in the interrogation. I think they were pictures of the documents, not the original documents. But, they told me that everything is here.

Q. You had mentioned that the Tablighi organization took your passport and tickets for a while, evidently they gave them back to you, but they just took them for a little while?

A. They use to take them, bring them back, take them again, and bring them back. Yes, when they say we are going to transfer you from here to there, we are going to take you from this place to that place, they use to take the papers. I don't know what they did with them.

Q. Were you transferred to many different places?

A. I really didn't go to many, many places but I used to go to the University, then to Jama'at al-Tablighi, to the house and such.

Q. From the University, to Jama'at al-Tablighi to the house, what were you doing when you went to Jama'at al-Tablighi?

A. As I mentioned, I came to them, but, when we used to go, we would go to the mosque.

Q. You said earlier, you're just a simple, common man, but you're going to study medicine. You seem to be very intelligent; did you have any type of medical training before you went to Pakistan?

A. I'm not really that smart, but yes, if I had information, when I was in high school and when I was in Yemen, I would gather information and see how to study medicine, and use to go to the medical school there to see and gather information. Yes, I did have some training.

Q. You mentioned all through school you were working, what kind of jobs did you have? Part time, full time, what were those jobs?

A. I actually use to do only one job. Really, I use to sell grocery products. That's what I used to sell. I used to do that since I was ten or twelve years old, all the time. This is something that is a custom from our tribe that you have to take charge, and take responsibility when you are young.

Q. When you were doing your investigation for medical schools, was it only around Pakistan, that area of the world, or did you look at other areas of the world that may offer medical studies for a reasonable price?

A. Yes, I did look at other countries besides Pakistan. Yes, I would like to study medicine in other countries besides Pakistan. For example, Syria and Jordan. Medical studies are easy there, and it's in Arabic. And even in Syria, the expense is not too high; it's a lot cheaper.

Q. When you were in the house, when you were arrested, how many people were with you that got arrested also?

A. I believe it was like thirteen, fourteen. Anyways, I knew it was more than ten.

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Q. They were the people you were living with?

A. Yes.

Q. Did you know them well enough to know what they were doing, I mean, were they just studying the Koran or did they maybe want to get into a medical school or something else, maybe start a business...what were they doing?

A. I found out these people were just simple and religious people who are into religion and they often didn't wear beards and I was avoiding those guys. I really didn't have any deep personal relations with these people. All that it was, is that I went to lessons, I used to sit and listen to lessons, or classes given, I just didn't go there to be personal and ask, and wonder what you are doing and all that.

Q. Do you consider yourself to be a very religious person or moderately religious?

A. Normal guy, I would say moderate, I'm not extreme. I don't have deep knowledge on the Sharia religion.

Q. To your knowledge, were any of the other people in your house extremely religious or were there because of a fatwa to come and study something more than religion, maybe, some type of military training.

A. I didn't notice anybody. Nobody talks to me about being there for Jihad, or they are going to the Jihad. As I told you before, they were just simple people, I didn't know any of them, and I didn't know what they were doing.

Q. One last question. You have been very cooperative and I appreciate that. I also noticed that you have a certain color of uniform, the orange uniform, and I noticed there are people who have tan, or beige, or white uniforms. Is there any reason that you are still in an orange uniform?

A. I really don't know. I don't like problems. I don't cause problems, but maybe it was a misunderstanding from the interrogators and investigators. They did put me in there, in that area, that gets this color. I really don't know, but I don't cause any problems. I don't try for problems. I believe the interrogators do have a role in causing problems sometimes, and causing the orientation where you are to be put because they try to talk and do things, and then they decide you need to be this way or that way, or in that area. I spent about a year and a half in first class in number one. I was fine. I didn't have any problems, but all of a sudden, after a year and a half, it was a mistake, or a misunderstanding whatever. They talk the wrong stuff about me, wrongly, and then all of a sudden, they move me to this color, and I don't know. I decided after a few months after I got here, I decided to be really cooperative and to help, and to be easily committed because I don't to be causing problems, to make things easier for them, and myself. So, everything we added, was in good terms, the right way.

Q. I understand from the last allegation on the paper, where it's stated that you admitted to being a terrorist and you said that must be some type of misunderstanding. I understand what you are saying. Is there anything you can think of, very shortly we are going to go into a classified session in this tribunal, and it will only be the three of us and we will be reviewing information. Can you think of anything that you might have said

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during past interrogations that you would like to change, or maybe, think, that well, there could be some type of misunderstanding in this type of area, this is an opportunity for you to provide us more information on something you said in the past?

A. Really, I don't have anything specific. I know that in the beginning, when I got to Cuba, the first interrogations, there was a lot of misunderstanding, a lot of miscommunication between the interrogators and me. Those interrogators, they caused problems, and there was friction between us and that's why I decided to stop talking. I didn't want to talk or participate anymore. Then afterwards, they realized that it was their mistake, and then they brought me decent interrogators, very good interrogators and then I started talking again. The first interrogators really gave me a very negative impression about Americans. After that, they brought different interrogators and they were fine. I got along with them. But, still until now, it wasn't always what the interrogators said, oh, he's not good, oh he's not right, and that there would be some bad communication, and bad behavior, whatever, until now, it's ongoing. If the interrogators treat me right, I treat him right and they cooperate with me, the same thing with the guards and soldiers. Even the people I live with or, whoever I'm with, if they treat me right, I treat them right, that's all.

Q. How's your English?

A. Very weak. I was even hoping to learn a little bit here. But the behavior with the guards and stuff, if you talk to them, they don't talk to you back. Not all of them of course, just some of them. I found it really hard to learn.

Tribunal Member: I thank you for the information; I thank you for your cooperation and I have no more questions for you.

Tribunal President's questions.

Q. I'm trying to understand, and I hope you can help me understand something here. I still don't know why you chose Pakistan over all other countries to go and seek a medical education in? Was it because of their outstanding medical schools?

A. For me personally, the main reason was the financial reason. I'll tell you the reason that is important to me. Because they were the cheapest, that was the main reason, that's important to me. And the Visa and the plane ticket indicate that, because the Visa to Pakistan is not like a Visa to other countries, it's different. Even the plane ticket to Pakistan is different. Also in Pakistan, (there are) no cheats, no robbers, no nothing, so, if you go to other places, you would be scared that your money would be stolen, or you get lost or you get into trouble.

Q. But you indicated in the house you were staying in that you had difficulty communicating with the housekeepers, or your hosts because they spoke a different language.

A. This is not really a problem that would stop me from going to Salafia (ph) it would be just practical, just practical problems. It's nothing that would scare me personally.

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Q. But the Pakistan people, their language is not Arabic, is that correct?

A. Yes, of course, but the places I traveled to, they have people who speak Arabic.

Q. But, would the medical school professors speak Arabic? Not likely.

A. Yes, of course, they would be in English. They had to study English there. Yes, of course I had to study English at the same time as my medical studies. That's what I'm told. That's what I think, that's the same thing in Yemen. All medical studies are in English, a very small percentage which was in Arabic, and that's even in Yemen too. You had to study English at the same time as studying other things.

Q. So, no matter what school you attended in what country, all the courses would be in English?

A. Except Syria, I believe that's they only one that had medical studies (not in English).

Q. So, you were going to have to learn English no matter where you went, unless you went to Syria?

A. Yes.

Q. In the time that you were in Pakistan, had you chosen a college that you were going to attend?

A. Of course, I couldn't. I just started by gathering the information and stuff; I couldn't because of the problems. And, I'm sad for that.

Q. Give me a couple of examples of medical schools in Pakistan. What are some of the names you were considering?

A. I don't recall the name exactly, but, when I was in high school, I had some friends that finished high school and they went to Islamabad to study medicine. That was my intention to go to Islamabad. When I was in high school I had friends, and they were talking about studying and practicing medicine. They didn't tell me the name of that college.

Q. Do you have any other information to present to this tribunal today?

A. No I don't.

Tribunal President: Thank you for your testimony today.

The Tribunal President confirms that the Detainee had no further evidence or witnesses to present to the Tribunal. The Detainee has a comment about the process.

Detainee: As of today, I have never received any letters, never got any, would it be possible to get help on this?

Tribunal President: The same procedures that you have used in the past will be available to you again, and as long as you are here, you can utilize those procedures to contact your family.

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Detainee: I couldn't get in touch with them.

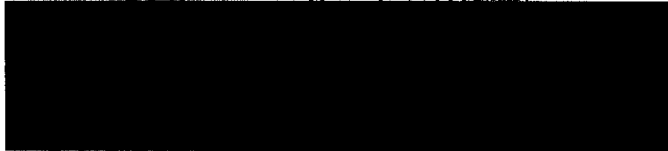
Tribunal President: Unfortunate as it may be from your past experience in trying to get responses from your family, hopefully, if you need to contact them, because of the Administrative Review Board, you'll have better success.

Detainee: I wish that too.

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