

*The Tribunal President advised the Detainee that his 5 requested witnesses were not relevant to the Detainee's classification as an Enemy Combatant, because the witnesses would testify that the Detainee was a student from June 2000 to February 2001. The time frame that would be relevant would be after September 2001.*

*In response, the Detainee stated:*

If my memory is correct, the only time I spent in Pakistan was from June 2000 until February 2001. I wasn't there after February. I was captured. I was in Pakistan.

I was only there (Pakistan) for only 7 months. After that, I was captured in Pakistan. The whole thing was only 7 months.

**Detainee's Unsworn Statement**

*The Personal Representative read the Unclassified Summary of Evidence, point by point, and the Detainee addressed each point individually.*

- **3(a)(1) The Detainee traveled to Afghanistan to fight in the Jihad.**

I have never been to Afghanistan. I was only in Pakistan for an exact time period of 7 months to go to the University. My passport will educate that because it's all marked in my passport. My passport will prove that I was only in Pakistan once, from this period to that period, and I was captured at the end of that period, so how could I be in Afghanistan?

- **3(a)(2) The Detainee avowed he would follow a fatwa that declared Jihad and would not question the guidance of his leader.**

This statement has no foundation at all. The whole thing was with the interrogator, he said "If you were asked to participate in Jihad, or if one of your leaders asked you to do something, are you going to follow this fatwa?" My answer was negative. Absolutely no. I remember vividly that I told him I don't follow any specific person because I, Emad Abdalla, have my own ideas and philosophy, which I respect and follow. I don't follow anybody else.

- **3(a)(3) The Detainee affirmed that if a leader of his tribe ordered an attack on America, he would be bound by duty to obey.**

This, I can answer from 2 aspects. The first point is, I don't belong to any tribe. As you know, the policy we follow in southern Yemen, there are no tribes or tribe leaders.

Second, we [Detainee and Interrogators] were just discussing and talking about the tribal laws in Yemen. I remember vividly that he [interrogator] asked me "if a

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tribe leader asks somebody to kill somebody or follow his order, do you think he would follow?" I said yes, he would follow. This is how the tribal laws go. I never said such a thing is related to me. Maybe the translator applied this statement to me just because I am Yemeni.

- **3(a)(4) While in Afghanistan, the Detainee received training at the Al-Farouq training camp.**

The answer to this is exactly the same as the one before. I've never been to Afghanistan.

- **3(a)(5) The Detainee traveled to both Kandahar and the Tora Bora region of Afghanistan.**

The same answer.

- **3(a)(6) The Detainee was arrested by Pakistani authorities in Faisalabad, Pakistan, along with several others living in the same house, who were from Yemen, Saudi Arabia, Palestine, Libya, Russian and Pakistan.**

This is true, but let me make this clear. It is a University dorm, so we have international students from all over the world, so it makes sense that we have so many different nationalities.

**Questions to Detainee by the Personal Representative**

Q: Please describe, for the Tribunal, the course of study you participated in.

A: The study of the Koran. Just from the name of the University, Saliffiyah University, it means study of the old science, but mainly the Koran. It is recognized by the Pakistani government. This university is not following any organization or anything. How could this title of "terrorist" be put on us, just like that?

This is a simple and small university. I don't know why they are giving it such a big importance and big attention. It is just a simple, plain university.

If it is proven that I was only at the university, it would, therefore prove that I have never been to Afghanistan. Most of the students escaped from this university. The oldest of them is not even 23. We are all in that age range.

Even when we were captured in Pakistan, the person in charge came and told us we didn't have anything to worry about. He told us that our sheet was clean and we had nothing to worry about.

Again, this can show clearly that I was at the university and it will clearly show that I was in Pakistan only during this time of study.

**Questions to Detainee by Tribunal Members**

Q: When you were captured in Pakistan, did you have your passport with you?

A: Yes.

Q: Do you know what happened to it after that?

A: They [unknown] brought me a copy over here. It does exist.

Q: Have you seen either the passport or a copy since you've been here?

A: Yes, I saw a copy of it here.

**Questions to Personal Representative by Tribunal Members**

Q: Did you happen to see either the passport or a copy of it while you were preparing the case for the Detainee?

A: No, I did not.

**Questions to Recorder by Tribunal Members**

Q: Are you aware if the passport is in control of the U.S. government here in Guantanamo?

A: No, sir, I'm not aware.

**Questions to Detainee by Tribunal Members**

Q: If we were to see a copy of your passport, what are the dates it would say you are in Pakistan?

A: The date of my entry to Pakistan, the dates I have on my visa, they all exist there. Even in Pakistan, we were received by American investigators. We were interrogated by American interrogators in Pakistan.

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

A: I really don't know anymore, but most likely 2 to 2 ½ years.

- Q: Prior to coming here, you were held in Pakistan for a while?
- A: Two months.
- Q: Can you estimate roughly how many times you've been interrogated since you've been here?
- A: It is very difficult. There have been so many times I can't say a number.
- Q: The interrogators have asked you about your association with Al Qaeda?
- A: Yes, I believe so.
- Q: Have you told them the same thing that you are telling us? You have never been to Afghanistan.
- A: Yes.
- Q: Then why do you believe you are here?
- A: (Laughter) How can you ask me this question? This question should be asked to you.
- Q: You've been here almost 3 years. Surely the interrogators have given you an idea of why they believe you should be here.
- A: In Bagram, they told me I was definitely going to go home. They told us we were captured by mistake. We're still under the error.
- Q: Bagram is in Afghanistan, is it not?
- A: Yes, that is true.
- Q: So, how long were you in Afghanistan?
- A: Nineteen days.
- Q: So, after you were captured, you were in Pakistan for a while? Then you were in Afghanistan, and then here?
- A: They kept us for 2 months in Pakistan. Then they took us to Bagram, then to Kandahar and then here [Guantanamo Bay, Cuba].

- Q: As I understand what you've told us today, the only reason you were in Pakistan is because you were a university student in Faisalabad?
- A: Yes, that is true.
- Q: Have you ever received any military training?
- A: You mean in Pakistan?
- Q: In Pakistan or before that.
- A: In Yemen, we don't really need any training. Weapons are a normal part of life we see since we are kids.
- Q: Are you proficient in any particular types of weapons?
- A: We have traditional small swords that we keep here [across the chest] that is something everybody wears. People carry them with them all day and sleep with them. It's something normal.
- Q: Have you ever received training on rifles?
- A: We carry pistols on our sides. No rifles, just pistols.
- Q: Did you have a weapon with you in Pakistan for personal protection?
- A: (Laughter) Why would we need personal protection? No, we didn't have anything.
- Q: How old are you?
- A: 25
- Q: Were you arrested with other individuals?
- A: Yes.
- Q: Other university students?
- A: Yes, we were all university students and we were all captured in the same house.
- Q: Can you estimate the number? How many were with you?
- A: Approximately 12-15.

- Q: Was that the population of your university, or were there other houses with students? Were you just a small element, or was that pretty much the student body?
- A: I don't know if there were other houses for students. You'll have to ask the administration of the university.
- Q: How large was your university? How many students?
- A: There were a lot of students, by the hundreds I would say.
- Q: Do you have any reason to suspect that the local authorities had a problem with your particular house?
- A: The problem is, they told us themselves that "we captured you by mistake and we are going to free you."
- Q: Do you know what may have happened to some of your fellow classmates?
- A: How?
- Q: I don't know, that's why I asked you. If you don't know, that's fine.
- A: Do you mean the ones that were captured with me?
- Q: Yes.
- A: They are all here with me.

**Detainee's Unsworn Statement**

There is one important piece of information. If you determine that I was in Pakistan, this will determine that I was never in Afghanistan. Since all of the accusations are based on that, that will clear that up.

For example, if Emad [Detainee] is here now. It is impossible that one guard will come here and tell us that Emad [Detainee] is in the cell. That means, definitely he [the guard] is lying because you can't split a man in two parts.

Even the interrogators in Pakistan told me that they have the proof that I was registered [as a student] and all that is true, so that means I was in Pakistan. And he [interrogator] told me they came to the conclusion that we were effectively students at that university. It was very precise and determined.

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So, if it has been proven I was at the university, there is no way I could be in Afghanistan. It has been proven. An interrogator told me and confirmed to me that they concluded and verified that we were students at that university.

This proof is solid and strong. The rest has no foundation whatsoever. This is all that I have.

**AUTHENTICATION**

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



Colonel, U.S. Marine Corps  
Tribunal President

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