

The Tribunal President asked the Detainee if he understood the Tribunal process. The Detainee responded as follows:

Detainee: I hear, but I do not understand the whole story.

Tribunal President: We are here to determine whether or not you have been properly classified as an enemy combatant. We have come with an open mind. We know very little about you except that you have been detained here in Guantanamo Bay. We have not seen the unclassified evidence. We have not seen the classified information, and we have not seen any of your file information. The Recorder will present unclassified evidence, which with the assistance of your Personal Representative you should've had the opportunity to review. You will be given an opportunity to make a statement to tell your story. We will have the opportunity to ask you questions. And after you have told us your story and we have seen all the evidence, then we will go into deliberation to determine whether you have been properly classified as an enemy combatant. Do you have any other questions concerning the tribunal process?

Detainee: I do not have any.

The Personal Representative presented the Detainee Election Form to the Tribunal. The unclassified summary of evidence was presented to the Tribunal by the Recorder, who then described the nature of the evidence. The Recorder requested a closed session at a later time to present the classified information.

Tribunal President: The Detainee requested no witnesses, but did request some documents be produced. The documents requested were his passport and a plane ticket. The Personal Representative informed me that the search was done, but was unsuccessful and that no documents were located. (To the Detainee) You may now present evidence to this Tribunal:

Detainee: I don't have anything to say, and I did not ask for the passport. All this evidence is false accusations.

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

Detainee: I have nothing to say. All these accusations are incorrect.

Tribunal President: This is an opportunity for you to make your statement, to tell us your story for us to take into consideration when we make our determination.

Detainee: My story is very well known. I am a student in Pakistan. I don't have anything else to say.

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

Personal Representative: No, sir.

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

Recorder: No, sir. I do not.

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

Tribunal Member: (To Tribunal President) Yes, sir. I do.

The below is a summary of the question and answer session to the Detainee conducted by the Tribunal members:

Q: What country are you from?

A: I am from Yemen.

Q: And you went to Pakistan to study?

A: Yes, I did.

Q: What was it that you were studying there?

A: I went there to study the Koran.

Q: Did you go to University, or did you get taught by certain religious leaders, or what kind of study was it?

A: All the information is available in my file.

Q: As the President said at the beginning, we have not had access to your file, which is why it is necessary for us to try to understand why you are here.

A: My story is in the file.

Q: If you were a student studying the Koran in Pakistan, how did you end up here?

A: This is the question I always ask myself...why was I captured there, and why did they bring me here?

Q: Could you please describe for us how it was that you were captured or arrested?

A: My story is very obvious and in the file.

Q: Well it's not obvious to us, which is why we were hoping you might help us understand what happened.

A: If you want to see the whole thing, look in my file.

Q: Would you tell us if it was the Pakistanis that arrested you?

A: Yes. The Pakistanis were the ones that captured me.

Q: Did they capture you by yourself or with other people?

A: I was in the house. I was not by myself. There were other people there.

Q: And so they took you all together, all at once?

A: They gathered us, and they took us to prison.

Q: The people in the house, were they also from Yemen, just like you?

A: I don't want to speak about other people. I don't know where they're from.

Q: Were any of them fellow students along with you?

A: Their story is well known to you people, I cannot speak on their behalf. I can't speak for them.

Q: When they came to arrest you, did they tell you why you were being arrested?

A: Nobody told me.

Q: So they just arrested you and took you to jail without telling you why?

A: Yes, that's what they did.

Q: And do you remember how long you were in jail?

Detainee: Which jail?

Tribunal Member: The first one.

Detainee: In Pakistan or here?

Tribunal Member: Pakistan.

Detainee: One and half months to two months.

Tribunal Member: Did anyone from the Yemen embassy come to visit you?

Detainee: I did not see anybody.

Q: Did you ask for them to come or you didn't want them to come?

A: I did not know I could request someone from the embassy to come see me, and I also did not ask.

Q: So after one to two months, then you left Pakistan and came here?

A: I went to Bagram, then to Kandahar, then Cuba.

Q: Where was the first time someone finally told you why you were being arrested?

A: Nobody talked to us about that.

Q: Not in Pakistan, not in Afghanistan; not until you came here?

A: I do not remember.

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

A: I don't remember since I got here, possibly two years.

Q: Now that all this time has passed, do you now know why you were arrested?

A: I didn't know anything until I went into interrogation.

Q: And that is when they first said they thought you were affiliated with Al Qaida?

A: Which time are you referring to?

Q: The first time you came before the interrogators.

A: Here in Cuba?

Q: Yes.

A: Every time I meet with an interrogator, he comes back with different accusations or allegations.

Q: Do you know what Jama'at al-Tabligh is?

A: I know about Tabligh, but I do not know what it is.

Q: Can you explain to us what that is?

A: All information I know is in the file. I have spoken so much about it in the past.

Q: I understand there are times you have to answer questions over again, but this is the first time we've had any exposure to your case.

A: Everything is in the file.

Q: The only thing we know about you thus far is what you're telling us now, and that you told us all these things on the exhibit are not true.

A: What should I do in this case?

Q: We were hoping you would try to help us understand why it was you believe you were arrested and brought here.

A: I have been here two years. If you do not know why I've been arrested, why are you keeping me here? Why don't you set me free?

Q: Have you ever traveled to Afghanistan?

A: My story is very well known.

Tribunal Member: I'm sorry you didn't choose to share more of it with us. I don't have any more questions. Thank you.

Tribunal President: Did you ever travel to Afghanistan?

A: No, I did not.

Q: Did you ever travel to Pakistan?

A: Yes, I did.

Q: Did you attend college in Yemen?

A: My story is very well known; it is in the file.

Q: But we don't know your story; that is why we are asking you these questions.

A: You can get the information from my file.

Tribunal President: OK. If you prefer it done that way, I guess we have no other choice. Do you have any other information to present to this Tribunal on your behalf?

A: No. I don't have any.

The Tribunal President then addressed the Personal Representative to request if any additional information would be presented to the Tribunal.

Personal Representative Answer: There were several items reviewed with the Detainee that did not come out that I'd like to read to you now.

Tribunal President: Please.

Personal Representative: We went over each line of the summary of unclassified evidence. On the assertion that he (Detainee) is associated with Al Qaida, he says it is not true. Concerning the allegation he trained at Al Farouq, he said he stayed at a hotel in Karachi for two days, and then went to Lahore to read the Koran for five months. He stated he then went to Salafia University. Concerning the allegation he was captured with ammunition, he says this is not true. And he (Detainee) further stated he did not want others that were captured with him to testify. Concerning the allegation he was captured with other individuals, he said 'yes.' Concerning the allegation that one of the individuals that were with him upon capture was associated with Al Qaida, he said he did not want any of them as witnesses. Concerning the allegation he (the Detainee) is associated with Jama'at al-Tabligh, he said he came to know them in Pakistan, that he did not join them, and that they showed him how to go from Yemen to Pakistan. Concerning the allegation that Jama'at al-Tabligh is a missionary organization used as a cover to mask travel activities of terrorists to include members of Al Qaida, he (Detainee) said he did not know. That summarizes what we covered in the interview, Mr. President.

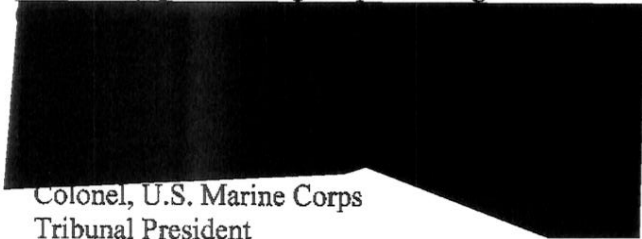
Tribunal President: Thank you.

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The Tribunal President explained the remainder of the Tribunal process to the Detainee and adjourned the open session.

AUTHENTICATION

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

A large black rectangular redaction box covers the signature of the Tribunal President.

Colonel, U.S. Marine Corps
Tribunal President

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