

**Summarized Detainee Sworn Statement**

***The Tribunal President read the Hearing Instructions to the Detainee. The Detainee confirmed that he understood the process and asked the following question:***

Detainee: The first sentence on your previous page (spoken to the translator). I want to see what it is.

Tribunal President: That is fine with me.

Translator: He is asking about the "you are informed" part of what you just said. Let me see (looking over his script).

Tribunal President: You are hereby advised?

Translator: Yes. He wanted the translation.

Tribunal President: Okay. You may repeat the statement that he is advised that the following applies during this hearing.

Translator: I told him that all of this concerns you and he said "yes, but only after they prove that I am guilty."

Tribunal President: Let me clarify that remark. This Tribunal is not to determine if you're guilty of any crime. This Tribunal has been formed to review all the documents and evidence that the government has that classifies you as an Enemy Combatant. The three members of this Tribunal panel have not received any documentation about your case. The three officers on this panel are not involved in intelligence or combat. We are independent officers charged with the review of your case. You remember our promise that we made at the beginning? We will look at all the information provided to us and make a decision based on it. Does that help explain?

Detainee: Okay.

Tribunal President: Do you have any other questions concerning the Tribunal process?

Detainee: No.

Tribunal President: Very well. Personal Representative, please provide the Tribunal with the Detainee's Election Form.

***The Personal Representative presented the Detainee Election Form (Exhibit D-A) to the Tribunal.***

Tribunal President: For the Detainee's information, this is just a document that gives us some information from the Personal Representative about his duties for this Tribunal. It's the same information he asked you about; if you wanted to come here, and documents that you [were] read

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the unclassified evidence and such other matters. Recorder, please provide the Tribunal with the unclassified evidence.

***The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) and also Exhibits R-2 and R-4 into evidence.***

Tribunal President: Please clarify for the record that you did not provide us an R-3.

Recorder: That is correct sir.

Tribunal President: We asked the question for clarification because we customarily receive evidence in order.

***The Recorder gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).***

***The Recorder confirmed that she had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.***

***The Tribunal President opened the Tribunal to the Detainee to make his statement. When asked if he would like to make his statement under oath the Detainee made the following statement:***

Detainee: I would like to see the contents of the Muslim oath that you are going to administer.

Tribunal President: I understand. Recorder, would you please read the Muslim oath in its entirety for the Detainee?

Personal Representative: Sir, can you speak up? We cannot hear. Should I turn this off? (referring to the air conditioning unit)

Tribunal President: Why don't you turn that off for clarity. If any member of this Tribunal is uncomfortable, please let me know and we will adjust the room temperature.

***The Recorder read the entire Muslim oath to the Detainee.***

Detainee: That is fine.

***The Recorder administered the Muslim oath to the Detainee.***

Tribunal President: You may proceed with any statement you wish to make to this Tribunal.

Detainee: Do you want me to address it one point at a time?

Tribunal President: Yes, and I'll ask the Personal Representative to assist you in that matter.

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*The translator provided the Detainee the translated version of Exhibit R-1.*

Personal Representative: I can read it if you would like.

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

Detainee: God, please give me everything that I need to give them and untie my tongue to speak the truth. Regarding the first point where they are saying that the Detainee is associated with Taliban or al Qaida. I question the semantics of this. You have the Taliban or al Qaida. Which one are we talking about? Are you referring to the Taliban or al Qaida?

Tribunal President: Is that a question for the Tribunal?

Detainee: Of course.

Tribunal President: At this point we are presented with this information to consider both, either one or the other.

Detainee: Fine.

*3.a.1. The Detainee stated that he worked as an accountant for the Society for the Revival of Islamic Heritage (RIHS).*

Detainee: I did work as an accountant. We signed a contract between the Islamic Heritage and I, dated January 24, 2001. I would like to explain some points. Number one, why did I work as an accountant? Before I came to Pakistan, I was working for the Central Bank in Sudan in the organization for inspection. This was my specialty because I studied Business Administration. Number two, why did I work for the Revival Islamic Heritage? One of my relatives is one of the financial managers that works in a bank in Bangladesh. He told me through his brother that the Revival Islamic Heritage in Pakistan is in need of an accountant and to submit my documentation. I did submit all of the documentation. As you well know Sudan is a very poor country and all Sudanese would like to work outside Sudan because the income level for the Sudanese people is very low. Truly this was a good opportunity that was given to me, and that's why I submitted my documentation. After I faxed all of my documentation, the manager of the office contacted me and expressed his interest for me to work with him in the Revival Islamic Heritage in Pakistan. At that point in time I took my annual vacation for 45 days. My vacation started January 22, 2001. That is the date I went to Pakistan. I did not resign from my job until I found out about the nature of the work in Pakistan. That brings up another point. Why did I agree to do the work in Pakistan? When I got to Pakistan and looked at the nature of the work in that particular organization, I found out that this particular organization works in a humanitarian manner, and that is very appreciated work. I looked at the accounting structure of that particular organization according to GAAP standards.

Tribunal President: (The Detainee and the Translator had an interchange with regard to the translator's use of the term "GAAP" which the Detainee attempted to expand in English.) We would appreciate the translation please.

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Detainee: Generally Accepted Accounting Principles. This way there would not be any problems with the accounting aspect of it. Number three, all of the employees in that Revival Islamic Heritage were all good people with high standards, love their work, and they perform their work faithfully. For that reason I decided to continue with them. That organization works as a missionary organization. There were no problems with the accounting program and the people were excellent. That is when I decided to write and submit my resignation to the bank. They accepted my resignation on March 8, 2001. Which is the same as the 45 days of vacation that I talked about.

Tribunal President: I understand. Thank you.

Detainee: I want to add another point to number one. We talked about three, I want to add a fourth, my duties in that organization. I was to check on the entire inventory, anything that was coming in, and expenses going out. I was to record our daily activities in the daily record following the GAAP moving it to the general ledger. That covers point one. I don't think what I just explained has anything to do with Taliban or al Qaida.

*3.a.2. The RIHS is listed in the United States Department of Homeland Security-Terrorist Organization Reference Guide.*

Detainee: What is the Department of Homeland Security-Terrorist Organization Reference Guide? What is meant by that?

Tribunal President: First I'll ask the Personal Representative if he reviewed this document with the Detainee.

Personal Representative: Yes, I did sir.

Detainee: He (Personal Representative) was saying that the organization is within the guide.

Tribunal President: That is correct.

Detainee: To answer that point. I say that not every organization or person that is within that guide can be accused of being a terrorist. That requires a lot of evidence and proof. After proving it, then at that point in time can you decide whether he or she, or the organization, is a terrorist. I'm sure that the year that I was working for the Revival of Islamic Heritage in the year 2001, it had nothing to do with any terrorist acts. You could have come and examined all activities in the Revival of Islamic Heritage, and you can look at their activities as well, and it's clear that none of this was done. As you well know, and I said, the organization assists with building mosques, drilling wells, and taking care of orphanages. These are all good deeds and have nothing to do with terrorists. The fact that it is in that guide has nothing to do with and does not mean that it is a terrorist organization. It has no association with the Taliban or al Qaida. Just because it's in the guide now I'm considered an Enemy Combatant.

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*3.a.3. Before being named the Society for the Revival of Islamic Heritage, the office in Peshawar, Pakistan, was called the Afghanistan Support Committee (ASC).*

Detainee: Regarding this third point, it's really ridiculous. They recorded that organization in 1989. I came here in the year 2001. Therefore, I have nothing to do with even the naming that organization. The fact that it was call the Afghanistan Support Committee or the Revival of Islamic Heritage, doesn't mean that it has anything to do with terrorism. When I went there, I was hired under the Revival of Islamic Heritage and you can check my passport. The visa and my passport show that it was called the Revival of Islamic Heritage. I would like to go back to the naming of the Afghanistan Support Committee. That name implies that it is just to help people, the Afghani people. It does not indicate that it's there to help Taliban. Helping the Afghanis or any other nationality or population is a good deed. Even the United States calls for that. The proof of that is they are showing pictures on TV and in the newspapers that they are trying to help the Afghani people and want to get out of war. Even here in camp they are showing pictures that they are helping the Afghan people. Even the conference in Tokyo that was held in 2002 calls for helping the Afghani people. The United States contributed an enormous amount of money to help the Afghan people. Many other nations contributed a great deal of money to help Afghan people. That doesn't mean that they have anything to do with terrorism. Just to find a home for people who are homeless and to provide them with food and help them get out of poverty, you call that terrorism? I don't think it has anything to do with terrorism.

Tribunal President: We understand your point.

*3.a.4. The ASC was designated on the United States Executive Order Asset Freeze List for suspected support of terrorism financing in late 2001.*

Detainee: This is an administrative order. Whenever there is a problem, they will stop the organization from doing its activity or any employees that committed that particular problem. To confirm or find out if this is true or not and the fact that they froze these assets just because of suspicion, does not mean that they support terrorism. Maybe the allegation can be proven after forming a committee to look at all documents, and once the allegations are proven, at that point in time you can freeze its assets and determine that it has something to do with terrorism. Freezing the assets does not mean that it supports terrorism or has anything to do with Taliban or al Qaida.

*3.a.5. The Detainee's name was found in an Arabic-Language document in which numerous Sudanese Shaykhs and Islamic scholars identify the United States as the greatest enemy of Islam and call for support of Afghan brothers by any means.*

Detainee: I asked my Personal Representative to explain point number five to me and he said you can ask about that in the Tribunal. So now I am asking the Tribunal to explain point number five to me because I didn't get an explanation from the Personal Representative.

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Tribunal President: I'm not sure what you would like explained. This is all we know about this item as well; that your name appeared on a document that, as it describes here, describing the US as an enemy of Islam.

Detainee: Which document?

Tribunal President: A document that has not yet been provided to this Tribunal.

Detainee: I can't address any allegation if I don't see the document. The document that my name appears in, is that the same document that the Islamic people and the scholars ordered? Am I one of them, the Shaykhs or the scholars? This is very confusing because when you say "document" it could mean a lot of things. For example my passport is a document. My college degree is also a document, and all of the agreements that I have signed, that are in your possession right now, are all Arabic documents. Do you mean "any document" or the documents that these Shaykhs and the scholars produced? Which document do you mean? Is my name on the document or is my name within the document?

Tribunal President: We will inquire further at a later session, I'm sure, regarding this document. At this time, this sentence implies that your name is in a document where others, Shaykhs and scholars, refer to the US, not that you are a Shaykh or one of these Islamic scholars. The Tribunal appreciates your concern regarding the use of your name in the context of whatever document this is.

Detainee: I would like to ask another question.

Tribunal President: Please.

Detainee: I will answer the question based on the assumption that my name is on the document. This is your responsibility to figure that out.

Tribunal President: I understand.

Detainee: Regarding that point, the presence of my name on that document, I would like to assure that I have never heard from all of these Shaykhs or the scholars having said anything about the organization or about me. I have never heard any of these Shaykhs or Islamic scholars saying that the United States is the biggest enemy of the Islamic world or that the United States is against Islam and called for the support of the Afghani brothers by any means. I never received any documents regarding that. That should explain that my name is not on that document. Suppose or assume, that the Islamic scholars and the Shaykhs said that, and let's assume that you found that document with me, what is the idea for me to write my name on it? Also, suppose or assume the same assumption that the scholars said that, it doesn't mean that I am stating or confessing to that. That is their statement and they are responsible for it. Just because my name is on the document does not mean I will confess or agree to what they are saying. The fact that somebody has a document or a book with somebody's name on it does not mean that he is of the same opinion or has the same intention. Don't forget that he's making all these assumptions that you stated this about him. I would like to say if these scholars said that,

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they are responsible for what they are saying. I'm not responsible for that. Even if we assumed or supposed the existence of that document, I assure you that I have nothing to do with that statement or saying. I'm sure that they did not find any documents with me between all of the documents that they took from me that carry all of these sayings. I'm not really interested or concerned about all of these statements. I'm not concerned about what the scholars said because they are not my thoughts. That also does not prove that I had anything to do with al Qaida or Taliban. Because I don't have any connection or association with al Qaida or Taliban that should prove that I'm not an Enemy Combatant.

Tribunal President: Thank you for your very complete and clearly stated testimony. Does the Personal Representative have any questions of the Detainee.

Personal Representative: No sir, I believe he expressed his concerns very concisely and I have no further questions for him.

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

Recorder: No sir I do not.

Tribunal President: Does the board have any questions for the Detainee?

Tribunal Members' questions:

Q. Let me clarify a couple of points first. To your knowledge, was the precursor organization to the Society for the Revival of Islamic Heritage in fact the Afghanistan Support Committee? Is that true?

A. That particular organization was recorded under that name "The Afghani Support Committee." It was recorded sometime in 1989. This is an old registration.

Q. I'm not sure that is an answer to my question though. I'm asking if that is a true statement, yes, no, or you don't know?

A. It's the same organization.

Q. It is. Thank you. Also, on point five you said that the fact that your name was on this document, whatever this document is, doesn't necessarily mean that you agree with them and that's true. But do you agree with them?

A. No, I don't agree with them.

Q. Were you the only accountant for this organization in Peshawar, Pakistan?

A. In Peshawar?

Q. Yes.

A. No. The accountant group has three members, the financial manager, the accountant, and the cashier.

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Q. Which were you?

A. I'm the accountant.

Q. What aspects of the operation did you oversee? All of it or just particular portions?

A. The accountant section, we received all of the documents on income. We did all the accounting with the system and pay in accounts payable. In addition to that we prepared a report on a monthly basis and sent it to the headquarters.

Q. So you would see all accounts payable and all accounts receivable?

A. Yes, I did.

Q. So is it fair to say that if this organization were funneling money to another organization, you would be aware of it?

A. All the incoming accounts payable or accounts receivable, I just go over the accounts receivable and anything that comes in I just record it.

Q. If your organization were transferring money to another organization, you would be aware of it?

A. That never happened.

Q. But if it had, you would know that?

A. Yes I would. Because I record everything that comes in and everything that goes out.

Q. That would also include the movement of personnel, if you were paying to move people from one place to another place you would be aware of that?

A. How can I transfer them?

Q. Paying money to move people, transportation, housing, and whatever.

A. I don't do that. The cashier does that. Let me finish because this is a good point. Any document that comes to the accounting office has to be signed by the manager. I look at the document and have to ensure the manager has signed this document. After that, the document goes to the financial manager who will write the information down. From the financial manager it goes down to the individual who is going to cash out that document. After that they take that document and the receipt and I would write it down in the daily journal.

Q. Okay, so do we agree that if there were an expenditure from your organization in Peshawar that you would have been aware of it?

A. We don't pay. All the money that comes from Kuwait is all documented. Any dollar amount that comes in to that organization is written in the report that comes from Kuwait. They would say in that report, how much, how to spend it, and where to spend it. All of that information is available in the Revival of Islamic Heritage. You can check it out. I have no doubt that you people have looked at it.



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- Q. So as far as you are aware, your organization never transferred money to a terrorist organization such as al Qaida or funded travel of any terrorists?
- A. Never.
- Q. Where did you receive your degree?
- A. At Khartoum University.
- Q. Is it a Bachelor's degree or is it an advanced degree?
- A. It is a B.S.
- Q. When you went to work in Pakistan, why were they interested specifically in you as opposed to someone else in the Pakistan area?
- A. As I stated earlier on of my relatives called me and told that there were openings in the Revival of Islamic Heritage and if I wished or was interested I could apply. Based on that information I submitted my resume and my documentation just like any other individual.
- Q. You mentioned that you were the accountant in Peshawar, or are there other cities or other places where the RIHS organization operates?
- A. No, there is only one financial section.
- Q. What is the approximate annual income of the RIHS?
- A. Two and a half million dollars in the year 2001. This is not an exact figure, it is what I think, and I believe it was two and half million dollars.
- Q. Understood. Is that US dollars?
- A. American dollars.
- Q. What was the source of the income? Where did it come from?
- A. Donations from Kuwait.
- Q. All of the donations came from Kuwait or from other countries as well?
- A. Everything came from Kuwait. The Revival of Islamic Heritage is a huge organization and it does have one branch in Pakistan, and all of the money was coming from Kuwait.
- Q. How did you administer the humanitarian projects? How does the organization decide who is going to execute the projects?
- A. They receive information from Kuwait. If they just received a certain sum of money from Kuwait, say \$50,000, they would get an explanation for that \$50,000. They get the \$50,000 and it will show which mosque in Kuwait contributed the money. They would tell us that we had to take care of a certain number of orphans and also they needed to drill some number of wells. That explanation would go to the manager who will oversee the completion of the projects. He would then turn over all of the orders. For the people who are going to build the mosque, he would give them a certain amount of money to build the mosque. For the people who were to drill the wells; he would send them the same information. All the accountant department received at that point in time were the invoices.

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- Q. Were the managers contracting with people to do the work or were they hiring direct employees to do the work?
- A. There is one manager, but there are department heads. Each one of these departments had its own employees. The department heads are the ones that begin to do the activities; whether building, or supporting refugees, and so forth. For example, if they wanted to build mosques, there are some engineers over there that will do some planning and designing and so forth and they will oversee the building of that mosque.
- Q. Okay, and who would examine your books?
- A. I am not the man in charge. There is somebody higher than me who is in charge of me. The monthly report, I do not write it myself, the financial manager is the one who writes it. Then they will make three copies and one of them goes to the headquarters, one stays with them in their office, and the other one goes to the financial manager.
- Q. When were you captured or when were you brought into custody?
- A. They attacked me at night at about one o'clock in the morning in my own home; at the end of May of 2002, I'm not really sure, but I believe it was the 27<sup>th</sup> of May. I arrived here in Guantanamo in August 2002. There were five of us from the same organization and three of them were already released, and the other two, we hope to be released soon.
- Q. I have a few questions. You mentioned that we could check the passport. Was the passport also seized when you were captured?
- A. Yes, it was.
- Q. Who captured you?
- A. The Pakistani intelligence and the Pakistani police and two Americans, a male and a female captured me. They arrested me along with my neighbor that lives downstairs. My neighbor was released this year.
- Q. On point five regarding your name appearing on this document, I'm not familiar with your name and how common it might be in your country.
- A. I made the assumption that this document exists. I believe it does not exist.
- Q. I don't know either. I hope to see it here sometime. I'm more interested in understanding that your name is a common name that might be mistaken for someone else.
- A. All of the Sudanese have the same name. The names Hamid, Mohammed, and Hamit are common names.
- Q. I understand. Is Gadallah a large family name or tribal name.
- A. That is my Great Grandfather's name, and it's a big family.
- Q. Back to your employment at the RIHS, who was your immediate supervisor?
- A. The division manager, and there is a general manager for the whole company.

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Q. The first supervisor you would report to.

A. The division manager.

Q. And his name?

A. Mansour Adams.

Q. If you found an accounting irregularity, would this be the first person whose attention you would bring it to?

A. Yes it is.

Q. Who hired you?

A. What have I been talking about? I sent my papers. The manager was the one who hired me.

Q. I was looking for the name of the person that had the authority to select an applicant.

A. The general manager.

Q. The general manager's name is what?

A. His name is Khalil Mohammad and he is Jordanian.

Tribunal President: Does the Tribunal panel have any follow up questions?

Tribunal Members: No sir.

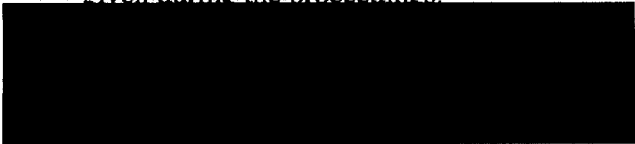
Tribunal President: Hammad Ali Amno Gadallah, do you have any other evidence to present to this Tribunal?

Detainee: There is nothing and no need because all of these five bullets that you have don't mean anything and are simply accusations.

***The Tribunal President confirmed with the Personal Representative that he had no further evidence. 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.

  
Colonel, USAF  
Tribunal President

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