

Summarized Unsworn Detainee Statement

The Tribunal President noted that the Tribunal had been advised that the Detainee elected not to participate in the Tribunal process, after originally choosing to participate during prior interviews with his Personal Representative.

Tribunal President: A note for the record, that the detainee whose case is now in hearing is not present. (Addressing the Personal Representative, to confirm the Detainee recently elected not to participate): You have advised this Tribunal that Fethi Boucetta has elected not to participate in this tribunal proceedings. Is this still the situation?

Personal Representative: Yes Ma'am it is.

Tribunal President: Personal Representative, did you meet with the Fethi, and inform him of his rights in regards to this proceeding?

Personal Representative: Yes Ma'am, I did.

Tribunal President: Did he appear to understand the process?

Personal Representative: Yes Ma'am, he did.

Tribunal President: Was the unclassified summary of evidence read to the Detainee?

Personal Representative: Yes Ma'am, it was.

Tribunal President: Was a translator used during your interview?

Personal Representative: Yes Ma'am.

Tribunal President: Did you confirm that the translator spoke the same language as the Detainee?

Personal Representative: Yes ma'am.

At this time, the Tribunal President requested the Detainee Election Form, marked as exhibit D-A. The Personal Representative presented the form to the Tribunal.

Tribunal President: A note from the Detainee Election Form that the detainee chose not to be present at this hearing is that correct?

Personal Representative: Yes Ma'am.

Tribunal President: How did he indicate that choice?

Personal Representative: He affirmatively declined to be here this morning.

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Tribunal President: Very well, this Tribunal will proceed in the detainee's absence.

The Recorder presented Exhibits R-1 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 Recorder then read the unclassified summary of evidence to the Tribunal. Upon completion of the reading of the unclassified summary, the Personal Representative presented interview notes previously approved by the Detainee to be read aloud to the Tribunal.

Tribunal President: Personal Representative did Fethi desire that you present information to this Tribunal on his behalf?

Personal Representative: Yes Ma'am, he did.

Tribunal President: Would you provide that information to us now please.

Personal Representative: Yes Ma'am, he made comments in regards to the evidence in his case. I have them noted, item-by-item, and would like to go through them as such.

Tribunal President: Okay, are we starting with 3.1?

Personal Representative: 3.1.

3.a. The detainee supported the Taliban and al Qaida forces.

3.a.1. The detainee is an Algerian national who has traveled between Pakistan and Afghanistan between 1989 through 2002.

Personal Representative: His (the detainee's) comments to me were these: I went to Afghanistan through Pakistan because I was working as a physician for the poor. After 1992, I did not go to Afghanistan at all. The proof of this is that he received, in 1996, asylum as a refugee with the United Nations in Vershowa (ph) Pakistan. His number is recorded with the U.N. as I20052. The case manager is an American woman named [REDACTED]. From 1996-2002 the detainee had signed in on a monthly basis to get rations and also the U.N. would do random visitations to his house to assure he was still there. He was working as a teacher from 1996 until he was arrested. On a daily basis, he was working at a school from 7 a.m. until 1400. This school belonged to the International Red Crescent, part of the health ministry. Previously, he worked in another school, which belonged to the Yemeni Embassy in Vershowa (ph) Pakistan. Previous to [REDACTED] as his U.N. caseworker, he mentioned another caseworker was from Holland, he was Dutch, the name was [REDACTED]. During his time here with the U.N. that the

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detainee 718 had requested he be taken out of Pakistan, he wanted a U.N. sponsored pass to be allowed to leave Pakistan. But, it was not approved because of a long waiting list.

3.a.2. The detainee reportedly was an active member of the Islamic Salvation Front.

Personal Representative: His (the detainee's) comments to me were these: He left Algeria in early 1989. The Islamic Salvation Front formed in 1990, and formed in Algeria. He never had any relationship with the group. He does have a good relationship with the Algerian Embassy wherever he goes. So, he maintains that contact to the Algerian Embassy. The Islamic Salvation Front only operated in Algeria.

3.a.3. The Islamic Salvation Front is a terrorist and armed militant group.

Personal Representative: His (the detainee's) comments to me were these: He had no comment to this.

3.a.4. The detainee reportedly left Yemen and went to Afghanistan at the request of the Taliban.

Personal Representative: His (the detainee's) comments to me were these: He was in Yemen from 1993 to 1996. He was working as teacher in a school as part of the education ministry. He wanted to leave Yemen to go to another country because Algeria was in a civil war. He had tried to go to a European country, and he had two kids and a wife at this time. He went back to Pakistan because he had previously worked with the Albear (ph) organization, which is a humanitarian organization that belonged to the education ministry. He says it's not true that he went to Afghanistan at the request of the Taliban.

3.a.5. In Afghanistan, the detainee reportedly organized combatants to fight for the Taliban.

Personal Representative: His (the detainee's) comments to me were these: One of his witnesses, detainee number 726 left, but was arrested at the same time. They were not fighting and he did not recruit or organize combatants to fight the Taliban. Detainee number 726 was his witness because they worked together and lived together and they traveled to and from school each day, they commuted. Also, detainee number 704, the other witness was arrested on the same day. He also commuted with detainee number 718.

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3.a.6. The detainee reportedly has organized extremist networks in Arab countries and has contacts throughout the Middle East.

Personal Representative: His (the detainee's) comments to me were these: He did not organize anyone. He is a physician and studying medical issues. He never had any military training. He left Algeria because there was a war and he did not want to serve in the military.

3.a.7. The detainee was arrested in Pakistan during a raid of al Qaida residences, on May 27, 2002.

Personal Representative: His (the detainee's) comments to me were these: His house was not an al Qaida residence. The Pakistanis came to search for a Sudanese guy. The Pakistanis were shown documents and left, but came back and arrested him. Nothing in the house was al Qaida. His question is: what's the proof is that it was al Qaida?

Personal Representative: That's all the comments that I have.

Tribunal President: Personal Representative do you have any other evidence to present to this tribunal on behalf of the detainee?

Personal Representative: No, Ma'am.

Tribunal President: Personal Representative, on exhibit D-A, it indicates that at one time the detainee had wanted to participate in the Tribunal, as of today, he chose not to participate in the Tribunal, is that correct?

Personal Representative: Yes, Ma'am that is correct.

Tribunal President: It also indicates that he wanted three witnesses. Two of which were detainees, who were housed here at one time, 704 and 726, from my understanding from you, is that 726 is no longer located here, is that correct?

Personal Representative: That is correct, based on JDAMS and the best efforts of our witness team. They have not been able to locate number 726.

Tribunal President: Okay. Witness 704 was located and was ready to participate. But, when the detainee chose not to participate here, he also elected not to have this witness presented to the Tribunal, is that correct?

Personal Representative: That's correct.

Tribunal President: The off-island witness, you indicated, was a U.N. worker. That witness was not located by the embassy, or we did not receive a response from the embassy on locating that individual. Is that correct?

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Personal Representative: That's correct.

The Tribunal President then confirmed there was no more evidence to be presented on behalf of the Detainee, and explained the remainder of the process to 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 Army
Tribunal President