

**Summarized Unsworn Detainee Statement**

***The Tribunal President was explaining the hearing instructions to the Detainee. The Tribunal President asked the Detainee if he had any questions about the Tribunal process.***

Detainee: No. My Personal Representative will let me know everything that is said and if I have to speak, do I speak about my life history?

Tribunal President: You will have the opportunity to address the allegations or the summary of evidence against you. And then you are welcome to tell the Tribunal anything else that you feel is relevant to our determination of your enemy combatant status. We may have questions for you and will allow an opportunity for your Personal Representative to present anything else on your behalf. Do you have any other questions?

Detainee: No.

***The Recorder read the summary of evidence and the Detainee had a question.***

Detainee: The charges you are alleging against me, are these during the period when I was in Indonesia or span across the entire period of my life?

Tribunal President: These charges would expand on your entire life activities. I can't be for certain, as we have not seen your entire file. At this point, we have only seen these two pieces of evidence and we know nothing else about you.

***The Tribunal President was covering the Detainee Election Form and the Detainee had a question.***

Detainee: I did not understand the points that you addressed before. What time period are you talking about?

Tribunal President: The time period would take in all of these actions listed on the summary of evidence.

**Summarized Sworn Detainee Statement**

***The Tribunal President instructed the Detainee that he (the Detainee) could make an oral statement and could present any evidence with the assistance of his Personal Representative.***

- 3(a)(1) The Detainee is a member of al Qaida. The Detainee is an al Qaida operative.

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First of all, I would like to say that in my past, I had no links with any organization, political or religious. I have never signed any card and I never had a card from any organization. That will prove that I wasn't a member of any organization. I am not talking about any specific organization, I am not a member of any organization. There were several reasons for me to go to Indonesia. If you want to listen to those reasons, I can explain. When I came back to Pakistan, in June 1992, I did not travel until 2001. I would like to explain two things. If I had links with any organization, I would not go to Indonesia. Instead, I should have gone to Afghanistan. Instead of going from Pakistan to Indonesia, I would have gone to Afghanistan for the Jihad and fight against you people.

The other reason is that many traveled from Pakistan to Indonesia. I took all of the documents with me about my entire life. Those documents held the proof that I went with very quiet intentions. If someone goes for terrorism, they would not leave proof behind. What kind of terrorism is this, that at the time I was captured, I held all the documentation with me about my entire life? When the American government started the war in Afghanistan, our religious organizations in Afghanistan were known to have the Jihad against America, or fighting against America.

I ignored the Jihad and the fighting against America. I went to Indonesia. Anyone from my family or relatives can prove this. They have never seen me with links to any political organization or religious organization. Whatever reports you need from me, I can give you the proof for any year and I can give you the proof for all those things with the dates and the times. They represent that I am innocent.

The traveling to Indonesia in the year of 2001 was because my father passed away. He died on February 17, 2000. He was working in Indonesia from 1992 to 1998 for the government of Saudi Arabia. He was a diplomat from the Saudi Arabia government. If any member of my family or I had ties to terrorist groups or any other organizations, they would not give us a diplomatic position.

My father had a stroke and he was paralyzed in 1998 and he came back to Pakistan. He died in 2000. There were many reasons for me to go back to Indonesia in 2000.

First of all, I went to see my stepmother and my brother because, since she got married to my father, I did not see her and she was not the reason for the death of my father. She is an Indonesian national. The other reason was that I wanted to bring back my brother and the other mother back to Pakistan.

The third reason was that I wanted to go to the office where my father once worked to let them know about his death and to complete my education and apply

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for my father's position. The whole family knows of the reasons I went to Indonesia.

For the first charge, I have explained everything. I am not a member of any organization, even if it is al Qaida or any organization. As I told in one of my interrogations, I liked one of the organizations, but I was not a member of that organization. Do you understand this point?

Tribunal President: Yes.

Detainee: I don't say that I didn't have links with any organization. What I am saying is this, that I was not a member of any organization, especially al Qaida. When I was in school in Pakistan, there was a religious organization in Pakistan. I liked that organization and I used to go to the meeting in the open sessions. Beside this organization, I never physically dealt with any other organization. That organization was against the Shiites.

- **3(a)(2) The Detainee ascertained the plans and movements of a US government official for the purposes of inflicting harm or death to that official.**

The second charge that you are trying to place on me, that I was trying to kill an American officer or I was watching his movements is totally baseless. I don't know any American in the world or in Pakistan. But, I have two friends that work in two American departments. One name is Fazzi Mohammed; he works at the World Bank in America. That person is now in Pakistan. The other person that I know that works for America works for American Express in Pakistan. He is the President for American Express in Pakistan. He is the General Manager, and his name is Igbar. Besides those two people, I don't know any Americans all over the world.

- **3(a)(3) The Detainee claimed prior knowledge of a terrorist act.**

I have not confessed to any planning for any terrorist act.

- **3(a)(4) The Detainee engaged in planning of and surveillance for, a proposed terrorist act.**

The fourth charge that you say, that I was planning for a terrorist act. I told you before that I never dealt with any terrorism organization, physically, nominally or in any way.

Detainee: I have this question, that you people did not capture me from Afghanistan. You arrested me from Indonesia, how are you charging that I am an enemy combatant?

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Tribunal President: That is what we are going to determine; whether there is sufficient evidence or preponderance of evidence that will confirm your classification as an enemy combatant. We want to be certain that you are properly classified.

Detainee: I have already told you that during that period I stayed in Indonesia for 52 days, what I was doing there and who I met while I was there. I want to talk about points four and five.

Tribunal President: If I may interject on something. Keep in mind we have not seen your file. We do not know what you and the interrogators discussed.

Detainee: That's why I want to explain in front of you those four and five points. After I went to Indonesia, I got introduced to some people who were not good. They were bad people. Maybe I can say they were terrorists. When someone gets introduced to someone else, it is not written on their foreheads that they are bad or good. After dealing with the person, you can figure out if he is good or bad. Due to these reasons, I got introduced to four terrorists in Indonesia.

I have taken the oath and I am telling you the facts and truth. The first person's name was Hani Yahya Saqqaq. The other person's name is Lupfi Faisal Al-Haneb (ph). The third person's name is Habib Rizq. Habib Rizq is the President of an organization, IDF, like, Islamic Defense Front. It is said about him that he has connections with Usama bin Laden. Telephone connections. Habib Rizq and bin Laden talks through the telephone. Habib Rizq is also the guardian of the al Qaida organization in Indonesia.

I can't remember the name of the fourth person. If during the process, I remember the name, I will let you know. They were getting the fourth person ready for some terrorist act. I got introduced to these four individuals and I believe that is why I am here today. The first reason of how I got introduced to these four people is that I went into the area where my father used to live. We stayed there before for three years. There was one of my mother's friends there and her name was Lulu. She invited me to breakfast at her house on the second of Mandan (ph) and I accepted. One of these three men was at her house.

All three of the people that I met were Yemeni nationals. I got introduced to Lupfi Faisal Al Haneb (ph) at Lulu's house. He asked to see me again at the hotel where I was staying. I said OK. He came over to see me and Hani Yahya Saqqaq was with him. Hani Yahya Saqqaq introduced himself to me, saying he was a journalist for the general public. But inside he was a "Ma Jihad," the Secretary General of IDF. I showed Hani Yahya a picture that I took with the scientist who made the nuclear bomb for Pakistan. His name is Abdul Khalid Kahn (ph). The picture had some other assembly members also. That is when Hani thought I was such a high level person. He said that I was a "Ma Jihad," and I told him that I was.

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After that, he explained to me that one year ago, he tried to blow up the American embassy in Jakarta. Then he took me to see the President of his organization. The name of the President is Habib Rizq. When I went there, I saw approximately 50 to 100 people sitting in the rooms and they were having a meeting. I asked, what are these people are doing over here? He told me that the New Year is coming and the actions we are taking, the terrorism acts; we are having a meeting about that. He asked me for economic help. He also told me that he has a group of people from Indonesia to Pakistan to fight against the Americans.

When I found out about this, that these were very bad people, I tried to get away from them. There are many other points; if you want, I can also explain those.

Tribunal President: We may have some questions for ask you to clear up some items, but please, feel free to continue to tell us any information that you feel will be important for us.

Detainee: I accept the fact that I showed actions in Indonesia to portray that I was a high level person. I didn't go to see them; those people came to see me. The fourth person's name I cannot remember. One day, Hani Yahya invited me into a classy hotel. There were four people there including myself. Hani Yahya told me that this fourth person was getting himself ready to harm himself in a terrorist type of way; self suicide. To show that I was such a big person, I talked about Osama bin Laden and they asked me, did I see Osama bin Laden and I told them yes, when I was coming from Pakistan, I heard one of his announcements, in which he announced that the Muslims should not travel on non-Muslim airlines. If the Muslims were to travel on non-Muslim airlines, then al Qaida and Osama bin Laden are not responsible for their lives. He asked me, did I know about the Ma Jihad from Pakistan. I told him yes. It is true that I met many of the leaders from the organization in Pakistan. I have pictures with them. I was on my way to Jakarta and when I reached home, I was arrested.

In the last days, I was trying to stay away from him (Hani Yahya). He was calling me and I was trying to avoid him. The second charge in the summary of evidence, I think it is about what I just explained. (Hani Yahya) told me they were planning to blow up two hotels on New Year's. An American Ambassador had a program in one of the hotels. He also introduced me to his father who was responsible for three schools that trained terrorists. When I found out about all these things, I was trying to go back to Pakistan. It is obvious that I went to Indonesia and Jakarta after ten years and I don't know anyone over there. The only people I know over there is my mother and brother.

If I have committed any crime, I am ready for the punishment, but I know that I am innocent. That is why I am here.

Tribunal President: I want you to understand that we are not here to punish you here today. We are here to determine whether you have been properly classified as an enemy

combatant. We welcome your participation and your openness in your statements. We may have some questions, but does this conclude your statement at this time?

Detainee: Yes. My statement is over.

**Tribunal Members' Questions to Detainee**

Q: That was quite a story that you told us today. But it will assist us to ask questions that make sense.

A: I am aware that for the truthfulness I speak, these things may harm me, but to be honest, I have told you everything.

Q: That's good because we want to be able to understand what happened and why it happened. During the time when you met these people that you told us about, you were only in Indonesia for 52 days?

A: Yes. From November 18, 2001, Sunday, 8PM until January 9, 2002, Wednesday, 4AM.

Q: You remember it very well. Are you from Pakistan originally?

A: Yes. But when I got into the census I was in Saudi Arabia. I was born October 17, 1977.

Q: Your father, you said, was a diplomat for the Saudi government?

A: Yes. He also stayed in America for one year for the Saudi government.

Q: Where did you learn your English?

A: I studied English in Indonesia for one year. And I also learned English over here. I speak nine different languages.

Q: Were there times when you lived in Indonesia - different times?

A: I traveled to Indonesia my whole life about three times. The first time was in 1990. I stayed there for six to eight months. Then I came back to Pakistan for a vacation. Then I went back to Indonesia in 1991. I stayed for one year. Then I went to Indonesia in June of 1992. I traveled over there for the third time in 2001.

Q: The first two times you went to Indonesia; was that the before your father began his duties there?

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- A: No. My father started his duties over there after that time. My father was working for Saudi Arabia. He got transferred from Saudi Arabia to Indonesia. Due to that we left Saudi Arabia and went to Indonesia.
- Q: That is the reason why you started traveling to Indonesia, because he had been sent there?
- A: Yes.
- Q: When he went there, he married another wife and had a family there also?
- A: When our entire family came back to Pakistan in 1992, my father went back to Indonesia alone. And then he got married over there for a second time. I found out about his other marriage when my father came back when he got sick in 1998.
- Q: The main reason, the only reason you wanted to go in 2001 was to take care of business when he died?
- A: Yes, for that and for my stepmother and brother.
- Q: That was when you met these people you talked about and all the bad things happened to you?
- A: Yes.
- Q: Before that time, have you ever been in trouble with the authorities anywhere?
- A: No.
- Q: Did you have a job or were you a student? What were you doing during this time?
- A: In which country?
- Q: In Pakistan.
- A: I worked for three departments. From 1998 to 2001, I did not travel. The first department was the Per-Continental Hotel. I was a chaplain in a five star hotel. I was a translator for an Arabic delegation. I worked this job for one year. I worked in an institute, the Institute of Leadership. Then an institute in Pakistan. It was a university in Karachi.
- Q: How many years of formal education have you had?

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- A: I got an education in different countries. For 10 years in Saudi Arabia, for two years in Indonesia, and four years in Pakistan.
- Q: You were telling us about a conversation you had with the men in Indonesia. You said, he asked you if you were Ma Jihad and you said yes. Was that true or were you trying to impress him?
- A: What I said was true. It has two different meanings. People think to shoot a bullet is Jihad. My education has taught me that if you stay away from bad things, it is also Jihad. The verbal meaning of Jihad is that you stay away from the bad things and to do the good things.
- Q: Is that what you meant when you told the Yemeni men that you were a fighter?
- A: Yes.
- Q: Did they think that you meant fighter?
- A: Yes.
- Q: Have you ever actually been a fighter in the military?
- A: I have never had any training and I have never been in the military. I remember one incident, in my life; I picked up a weapon only once. It was a small pistol. When I tried to chamber a round and load it, I cut my finger and I still have the scar today. After that, I have not picked up a weapon.
- Q: Have you ever fought in any wars?
- A: No.
- Q: It sounds like you had prior knowledge of a terrorist act that concerns the fourth man who was getting ready to do the suicide attack on the hotel. Is that right?
- A: I am giving you my opinion. Maybe it is about that.
- Q: Did the three Yemeni men tell you about other things that were planned to happen?
- A: They told me about another actions. There was an island inside Indonesia, where there is war going on between the Muslims and the Christians. Hani Yahya and the people of his organization were getting ready to send people over to the island to fight against the Christians.
- Q: This is Aceh or Timor or one of those places?

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- A: Yes. They also told me that Hani Yahya's aunt lives in America in San Diego. They also told me the aunt and her husband eloped because the American government wanted to arrest them. They asked me if I knew anybody in America that could help my aunt. He asked me if I knew a person that could act as a sponsor that could help his aunt.
- Q: I think you were right before. Conversations like that is probably why you are here.
- A: Yes, I accept that.
- Q: Do you believe they said you were with Hani Yahya, you were with Lupfi, you were with Habib, and therefore, you did all these things with them?
- A: Yes.
- Q: But you tell us today that you didn't do these things with them?
- A: No. I have not done anything bad in my whole life. I am not a heathen person, everybody knows about me. Even the scientist who made the nuclear bomb for Pakistan, I took pictures with him.
- Q: How was it that you were able to get your picture taken with Doctor Kahn?
- A: I was in a program as a guest. Doctor Kahn was there as a chief guest. I recited the Holy Koran. After I did my recital, they took the pictures. And I took those pictures with him. I have over 100 prizes for that recitation. I also saw King Fahd from Saudi Arabia. I have an award from King Fahd and I have an award from Indonesia and I have a gold medal from the government of Pakistan. In every Muslim country, every program starts with the recital of the Holy Koran. I saw many leaders in the programs. Leaders from "Maha Jahdid" organizations.
- Q: What are your feelings about the United States?
- A: On what topic?
- Q: Do you consider the United States a friend, an enemy? How do you feel about the United States?
- A: American is the second host because one of my aunt's is an American citizen. When my uncle went to America, he started a business. And due to that, our family got a strong position and we started three businesses in Pakistan, one factory and two plazas. My father also stayed in America for one year. Also, more than five million Muslims live in America.

**Tribunal Members' Questions to Detainee**

- Q: What business is your uncle in, in New Jersey, you said?
- A: His business is in New York. His home is in New Jersey.
- Q: Is that the business that generated three factories in Pakistan?
- A: Yes.
- Q: What is that business?
- A: Medical. Pharmaceutical.
- Q: Distributing or manufacturing?
- A: Distributors.
- Q: And the factories in Pakistan, distributors or manufacturing?
- A: They make leather shoes.
- Q: OK, complete line of business then?
- A: Yes. My uncle and his wife are both doctors.
- Q: It amazes me that you would associate with people that you associated with. You must have a very big ego and want to be a popular person.
- A: I think I'm stupid; otherwise, I would not be here today.
- Q: You are very cooperative, very truthful, you seem to want to make amends and I've met many individuals doing my job here and I notice that you are wearing an orange uniform. Why is that?
- A: I don't know.
- Q: You don't know that there are other colors or you don't know why you are still in orange?
- A: I know about the other colors, I think I am still in this color of uniform, because once I tried to commit suicide after being here 191 days.

**Tribunal President's Questions to Detainee**

- Q: I understand your father to be a Saudi Arabia diplomat. How did he acquire residence in Pakistan?
- A: Before going to Saudi Arabia, my father had three bungalows in Pakistan. We put them up for rent and we lived with our grandfather. The rent we received for the bungalows, we took care of everyday business.
- Q: You maintained your Saudi Arabian citizenship?
- A: No.
- Q: You have a Pakistani citizenship?
- A: Yes.
- Q: You wanted to attempt to replace your father's position after his death?
- A: Yes.
- Q: How could you work for the Saudi government as a Pakistani citizen?
- A: We were using the passport from Pakistan as Pakistani, but the stamp they put on the passport, this gives us the facilities to the Saudi government. The organization at the department where my father was working, there were also other people working but they were working as Saudi nationals. And they were from different nations.
- Q: You indicated that you spent 52 days in Indonesia. Why did it take you so long to take care of that business?
- A: I saw the director of the office where my father worked only once and I presented him the file and told me that he would see me after our holiday. It was the holy month. After that, I went to my grandfather's home. Then I started the process for my mother to go back to Pakistan. Another obstacle we were facing was my younger brother has to be eligible to use my father's passport. It's according to the law of Indonesia. But my father was dead. My brother didn't have the passport and was not allowed to have it.

Detainee: Will there be another Tribunal session?

Tribunal President: No.

Detainee: When will I know about the outcome of this?

Tribunal President: I will explain what lies ahead after this process and hopefully within 30 to 60 days, no longer than that, once the convening authority reviews our decision, then you will be notified of our decision.

Detainee: There is one more point that I want to make. When I was talking to Hani Yahya Saqqaq, he asked me one question. And I told him that when Osama bin Laden said not to travel on non-Muslim planes, he asked me what I thought about that? I said, I think there will be more terrorism. He asked me how it's going to happen? He also asked me what did I know about the "Majahadid?"

I told him three things. I told him there was a type of glasses that once placed on your face, you can find out what weapons your enemy has, like X-ray glasses. I also told him that there was a type of chewing gum, if you chew it and throw it, it would explode like a bomb. I also told him that there was a type of shoes in which you could hide the bombs.

I want to ask a question. My briefcase; all of my papers are in my briefcase. How can I get my briefcase?

Tribunal President: We will go to review all the other evidence and if we feel that this information that might be in your briefcase may be of relevance then we will have that evidence produced.

Detainee: Is this the final Tribunal?

Tribunal President: I will explain that. But we have one more question.

**Tribunal Members' Questions to Detainee**

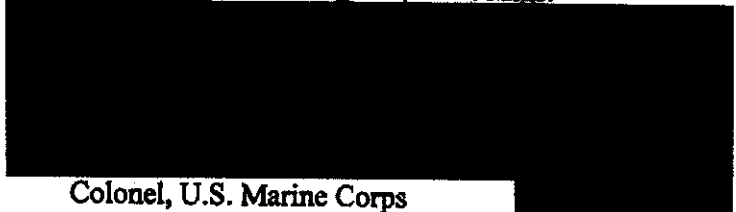
Q: Your memory is better than mine but, you arrived in March 22, 2003 and you mentioned you spent 92 days in Cairo, Egypt in detention. Early I believe you said it was 2002. How many different places have you been detained and when were you initially arrested?

A: They arrest me, January 9, 2002 in Jakarta. I stayed in Jakarta for two days. They sent me to Egypt. I stayed in Egypt from January 11, 2002 to April 12, 2002. Then they sent me to Afghanistan by Pakistan. I was in Afghanistan April 13, 2002 to March 22, 2003.

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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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