

Summarized Detainee Statement

The Tribunal President read the Hearing Instructions to the Detainee. The Detainee confirmed that he understood the process and had no questions.

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

The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.

The Recorder presented Exhibits R-2 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 Tribunal President addressed the Detainee's request for deportation documentation from Afghanistan informing the Detainee that the document was not reasonably available and therefore denied.

Tribunal President: Was this a request that you made through your Personal Representative?

Detainee: Yes.

Tribunal President: This is the first time the Tribunal has seen this request. Personal Representative, did you make an on island look for this?

Personal Representative: Yes ma'am and was unable to locate it.

Tribunal President: Can you shed any more light on this?

Personal Representative: Yes ma'am. He last saw the document in Bahgram. He had not seen it in Guantanamo Bay but his interrogator saw it here. Therefore, I knew that if I did not find it here that we would not have it.

Tribunal President: It's reasonable to assume that it should have been located here. It should have come with him if was in fact seized on him in Bahgram, is that correct?

Personal Representative: Well ma'am, his interrogator saw it here.

Tribunal President: Unfortunately, based on this information we'll have to determine that it's not reasonably available.

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The Tribunal President opened the Tribunal to the Detainee to make his statement and asked if he would like to make his statement under oath.

Detainee: Okay, no problem.

The Recorder administered the Muslim oath to the Detainee.

Detainee: First of all, all of these accusations do not exist. In regard to being part of the Taliban or al Qaida, that's not true. I have documents that prove that I was in a Taliban prison. That's all. I don't have anything else, it's all there.

Personal Representative: I can review some of the things we discussed if you would like.

Detainee: Go ahead.

3.a.10. The Detainee stayed at the al Farouq camp in Darwanta, Afghanistan, where he received 1, 000 Rupees to continue his travels.

Personal Representative: He said that he had never been to al Farouq.

Detainee: I never visited al Farouq.

3.a.13. Detainee was arrested by Pakistani authorities in Khudzar, Pakistan in July 2002.

Personal Representative: The true month was April, not July.

Detainee: That is true yes.

Personal Representative: He said that before 9/11, he worked with the Taliban fighting.

Detainee: Yes, I was with them only for one month.

Personal Representative: They asked him to leave and he was captured before he could leave.

Detainee: That is true.

Personal Representative: He was never involved in any fighting after he was asked to leave.

Detainee: I never participated in fighting in Afghanistan before or after.

Personal Representative: That concludes everything that we discussed.

Tribunal President: Does that conclude your statement?

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Detainee: Yes. I am done.

Tribunal President: Would you be willing to answer some questions that we may have for you?

Detainee: Yes.

Tribunal President: I always like to say that this the only document that we have seen about you to this point. So we may ask some questions reference your background or other things just because we don't any more information than this. Personal Representative, do you have any questions for the Detainee?

Personal Representative: No ma'am.

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

Recorder: Yes ma'am. Earlier you stated that all these accusations do not exist. What do you mean by that?

Detainee: That all of these things you said I have done, I have not done any of those things. For example, being part of al Qaida or part of the Taliban, I am not part of any one of them.

Recorder: Were you ever in the Iraqi army?

Detainee: Yes.

Recorder: So some are true?

Detainee: Yes, some of these points are true and others are not.

Recorder: One more question. You said that you did not attend the al Farouq in Darwanta?

Detainee: Yes.

Recorder: Did you attend any camp at Darwanta?

Detainee: I visited but I never trained.

Recorder: Visited a camp?

Detainee: Yes. I visited as a guest but never trained.

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Recorder: Can you tell me what al Farouq means?

Detainee: Farouq's name is one of the disciples of Mohammed. He is one of the first brilliant leaders and that's the name of that training camp in Afghanistan.

Recorder: Do you recall the name of the camp you visited?

Detainee: I don't remember the other names but I know Darwanta I visited there.

Recorder: Thank you.

Detainee: You are welcome.

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

Tribunal Members' questions

Q. We've just gone over this list here, the entire list. You had said basically that they were all false. But now we find that that is not necessarily true. So to clarify, you stated that you had never been to al Farouq but then you just stated that you were a guest at al Farouq.

A. I said in Darwanta. Not in al Farouq.

Q. Al Farouq is not in Darwanta?

A. Al Farouq is in Khandahar.

Q. What was your occupation while you were in Afghanistan?

A. I didn't have a job when I was there. I was just an immigrant and I used to hunt birds.

Q. How did you support yourself?

A. I used to ask the leaders of Taliban for help and I used to go to some humanitarian organizations.

Q. Which charitable organizations were these?

A. Like the United Nations, the International Islamic Relief Organization, and also Doctors without Borders and the Red Cross.

Q. How long did you live off charity?

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A. I wasn't staying permanently in Afghanistan. I used to go in and out.

Q. Between Afghanistan and where?

A. Pakistan.

Q. So I understand you did not have a job in Pakistan either?

A. That is true. I did not have a job in Pakistan either.

Q. Okay so you did live off charity in both Afghanistan and Pakistan?

A. Yes, that is true.

Q. How many years did you live off charity?

A. '96 to '97 is the first period. And the second period is 2000 to 2001. In '95 I was in a prison in Afghanistan.

Q. Why were you in prison?

A. I didn't have a passport.

Q. You gave the years '96 to '97 and then you jumped to 2000 to 2001. So between 1997 and 2000, what did you do?

A. 1997, '98, and '99 I was in Pakistan.

Q. Okay, let me ask this one more time. So between the time you left prison until the time you were captured, you lived off charity?

A. That is true yes.

Q. And you never asked for anything in return?

A. No.

Q. What is your education level?

A. Third year in middle school.

Q. Would you call yourself a very religious person?

A. No, I'm not religious.

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- Q. While you were in the Iraqi army, did you receive training on Kalashnikov, on the mortar, and rocket propelled grenades?
- A. Yes, I trained on Kalashnikov, hand grenades, mortars but no rocket propelled grenades.
- Q. What was the reason you left Iraq to Afghanistan?
- A. First time I trying to go to Iran. Then we went to Turkmenistan and Turkmenistan sent us to Afghanistan.
- Q. You said they sent you to Afghanistan. Who sent you to Afghanistan?
- A. The government of Turkmenistan.
- Q. This just opens up two more questions. Why did you leave Iraq?
- A. I deserted the Saddam's army.
- Q. Why did Turkmenistan send you to Afghanistan?
- A. There was no Iraqi embassy in Turkmenistan, so they sent us to Afghanistan.
- Q. You said you did work with the Taliban is that correct?
- A. Yes, that is true. Only one month.
- Q. During that month, describe for us all the work you did with the Taliban.
- A. I was in a reserve unit. Our job was if there was an attack we move toward where the attack was coming from. It was a mobile unit. I didn't participate in any attack myself.
- Q. Did you participate in any training of other Taliban soldiers? Did you train any of the other Taliban soldiers? Did you train Taliban?
- A. No.
- Q. Did you have a rank in the Taliban?
- A. No, I didn't have a rank.
- Q. How did you come to find out about this opening with the Taliban?

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A. Taliban will hire anybody that comes and wants to join. They didn't have any structure or any device for hiring or recruiting people so anybody can come and join (inaudible).

Q. Where did you join?

A. It was in a school.

Q. Where?

A. Mazar E Sharif.

Q. How old are you?

A. I am 39 now.

Q. How many times have been arrested?

A. In Afghanistan?

Q. In your life.

A. Many times. Five times.

Q. What were those five times for? Describe for me.

A. All of it because I didn't have a passport.

Q. How about this last time you were arrested? What was that for?

A. Also because I didn't have a passport.

Q. Did anybody tell you any other reason besides not having a passport for being arrested?

A. They always accused me of being a spy.

Q. This last time you were arrested you were accused of being a spy?

A. No, last time they didn't accuse me of that. Just because I didn't have a passport.

Q. Usama Bin Ladin, do you know him?

A. Yes I know him.

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Q. How do you know him?

A. I know him through T.V. and through newspapers.

Q. Did you ever work for him?

A. No, never.

Q. Did you ever meet him?

A. I never met him but I've seen him once.

Q. Where did you see him?

A. In Hundar (ph) area in Pakistan.

Q. Describe the circumstances for us.

A. He was going in the street in a small bus with tribe leaders. So I ran to the street. I wanted to talk to him but he was already gone.

Q. When was this?

A. It in April of 2002.

Q. You said you wanted to meet him. Why did you want to meet him?

A. I wanted to know where he was going.

Q. Did you want to ask him something?

A. I just wanted to know where he was going. Because I wanted to report where he was going.

Q. Who were you going to report it to?

A. To the police.

Q. The Pakistani police?

A. Yes. After that I did report that but he left and I was arrested.

Q. Did you know any of the people that Usama Bin Ladin was with at that time?

A. Yes, I did know some. You mean the people in the streets with him?

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Q. Yes.

A. I know one whose name is Nonewe Kabar Idin (ph).

Q. This person was actually with Usama Bin Ladin?

A. Yes, he was with him in the cars.

Q. How do you know this person?

A. I know him for a long time.

Q. How long?

A. I know him since 1999.

Q. Where do you know him from?

A. I was planning to go to Quetta I didn't have money so I came to this person. He was one of the tribe leaders, sheiks. Since then we became friends.

Q. Did you ever talk to him about Usama Bin Ladin?

A. I talked to him the following day about Usama Bin Ladin and he told me I was crazy that wasn't Usama Bin Ladin.

Q. How about before that day? Before you saw Usama Bin Ladin did you talk to him about Usama Bin Ladin?

A. No. Before that, no.

Q. Do you know anybody else that knows Usama Bin Ladin?

A. Nonewe Sius (ph). He was the driver in that car.

Q. How do you know him?

A. I knew him also through Kabar Idin.

Q. How long have you known him?

A. I know him 2002.

Q. Know anybody else who knows Usama Bin Ladin?

A. No, just these two.

Q. You ever work with al Qaida?

A. No not ever.

Q. These two people that you mentioned, are they al Qaida?

A. No, they are just scholars, Islamic scholars.

Q. Other than the military training that you received with the Iraqi army, describe for us all the other military training you have received.

A. Beside the army I didn't have any.

Q. What is jihad?

A. It's fighting.

Q. Fighting who?

A. The Muslim's point of view, anyone who is not Muslim you should fight them.

Tribunal President's questions

Q. You said that you had a document to prove you were in a Taliban prison, can you elaborate on this?

A. Yes.

Q. Can you tell the year or just anything about it that you wanted to share with us?

A. The date on the paper is August 15th, 2001. Also the administration of the prison gave me that paper. They told me take this to the Red Cross and within twenty days we will give you (inaudible) and you're going to leave Afghanistan. If you don't leave in this period we are going to put you jail for a long time. The Red Cross starting on my case trying to get me out of Afghanistan but that took extra time. After that it was the incident of 9/11 and the Red Cross and United Nations and everybody left and I was left alone.

Q. So if I understand you right, the document you are talking about are the same as the deportation documents?

A. Yes, it is the same.

A. It's written in the Farsi language.

Q. You've traveled around a lot. Where would you call home?

A. Really, I don't have home. I was searching for a country or a nation but I couldn't find one.

Q. No family to speak of?

A. I have family in Iraq.

Tribunal President: I'd like to thank you for participating in this Tribunal today.

Detainee: You are welcome.

Tribunal President: Is there anything else that you would like to tell us?

Detainee: No, I don't have anything else.

The Tribunal President confirmed that the Personal Representative had no further evidence to present and that the Detainee no previously approved witnesses to present to the Tribunal and closed the open session.

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, U.S. Army
Tribunal President

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