

Summarized Sworn Detainee Statement

Personal Representative advises the Tribunal Panel that he met with the Detainee and discussed each piece of evidence contained in the Unclassified Summary with the Detainee and he made statements about the evidence. The Personal Representative will read each statement and read the Detainee's response to each point. The Detainee will elaborate if he wishes.

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

Not true. I personally say that I am not a member of al Qaida. Even the Jordan Delegation that came to the island proved that I was neither Al Qaida nor Taliban. I deny all the allegations against me. A witness from this camp named Abu Zubaydah made these false accusations against me that are not true.

I want to add that even the interrogators here on this island never said that I was a member of al Qaida. Even all the reports received, even what you call classified reports, nothing states that I was a member of al Qaida. I have been here for over two years, and no one has said that I am a member of al Qaida. So what is the basis of the accusation that I am a member of al Qaida?

Tribunal President states that the only information the Tribunal Members have seen is the Unclassified Summary. Any information that the Detainee can add would be helpful.

Can you take a look at the files and all the interrogations to verify what he said are true?

Tribunal President advises the Detainee that some of it may be seen later.

A witness from the camp named Abu Zubaydah made these allegations against me that are not true. He also made other false allegations against other detainees and it was proven that they were not true. Abu Zubaydah made these statements against me without ever seeing me do any of the things he has lied about. For instance, he said I traveled through Iran, I did not. I traveled through Pakistan instead. The Jordanian government has records of my travel times. He said so many things in his report to interrogators that were not true, so if these things are not true like my travel through Iran, than none of his allegations against me should be believed. Therefore, the following statements that I was told by interrogators came from him are not true.

This person by the name of Abu Zubaydah, made three false accusations against me. The first being that I went to al Farouq training camp, and the second is that I appeared in a

movie about the USS Cole. The third accusation said that I attended a seminar for falsifying passports. I did not talk about or agree with any of these accusations. The first accusation of me attending al Farouq training is not true; he has never seen me there. When I was in Afghanistan, I was staying in the city of Khost. The al Farouq camp is located in another city. The second accusation concerning myself appearing in a movie about the USS Cole; this movie does exist and it is everywhere. Interrogators have it and everyone has seen it. If you see me in this movie then you can believe the allegations. If my picture is not in the movie, then what is the basis of his lies? I have asked interrogators before to show my appearance in the movie, but they could never provide it. This shows that I never appeared in the movie about the USS Cole. In regard to attending courses for forging passports, the authorities read the accusation that said I did not attend the courses, but I just received passports. This is also false. The way the accusations are expressed is wrong. One point states that I attended courses and another states that I received passports, but they are both wrong. One thing that can be seen is his report is that I went to Kabul when it fell. But, you can see here that I am still alive. All the testimony from this gentleman is lies. Everything is mixed up, so you can't take his word at all. If you want to believe the report, you have to believe it all. This means that the person the report is about is dead. You can't believe one part of the report and not another. That is not logical. All his testimony is contradictory. He said I was killed; this is not true. He said that I was in the movie about the USS Cole, I wasn't. He said that I attended classes about forging passports, which I didn't. This person also told lies about a lot of other people. We heard from the interrogators themselves that they used unusual methods to get information from him. It is known, that anyone that gives information under force should not be taken into consideration. Experience has shown that anyone that is subject to torture for long periods of time will say anything to stop the torturing. He may have talked about me under pressure or torture. He may have mistaken my identity for someone else, anyway, the entire report is false.

- 3(a)(4) **The Detainee received weapons training at al Qaida's al Ghuraba camp in Kabul.**

Not true, no interrogator ever mentioned this to me.

That is also not true. I never attended any weapons training and interrogators never mentioned this to me. The Jordanian Delegation asked me if I trained in this camp. They also asked me if I trained in al Farouq, and the Ghuraba camp. I told them I never trained in the camps. They learned that this camp does not belong to al Qaida, it belongs to another group. They told the Jordanian Delegation that I did train in the camp, this is not true. The interrogations are documented that I never said such a thing. Every interrogation is documented. They have to write everything correctly. After the Jordanian Delegation left, the American interrogators asked me again if I ever trained in Ghuraba camp. I told them I never trained there. I never agreed or admitted to this allegation. The interrogator never got this from me. I never said anything about it. I don't know how the Jordanian made this mistake because my meeting with them was filmed and

documented. I would like you to please go back and please check my interviews with the American interrogators to see if this is true or not.

- 3(a)(5) **The Detainee attended counterintelligence training in Kabul.**

This is a lie also. My friend was captured in Pakistan right after me and sent to Jordan. My friend was tortured and must have said some untrue statements. I have not done any of these things. You cannot rely on prisoner witnesses. This guy knows me, and he never said any of the other statements like Abu Zubaydah did.

As I said, this person is my friend. He was captured by the Pakistani's and delivered him to the Jordanians. I live in Jordan and it is known that there is a torture danger there. You cannot base judgment on the statements from someone that has been tortured outside of the United States. You cannot know if what was said is the truth. The American interrogators asked me if this allegation was true, and I told them no. I denied it completely. I consider it as just a falsified accusation.

- 3(a)(6) **The detainee was captured with a Makhab al-Khidmat-inscribed Koran.**

When I was in detention in Kabul, I asked for a Koran, the Afghanis holding me gave me an old Koran, now you are trying to say I am part of the Makhab-al-Khidmat terrorist organization because of something inscribed in a Koran given to me while in captivity. This doesn't make sense.

I asked the Afghanis about the Makhab al-Khidmat. This organization became inactive about 15 years ago. If you don't believe me you can ask interrogators that specialize in this field and they will tell you that this office closed about 15 years ago. If you came to the conclusion that it was closed a long time ago, how could you consider me having any connection with this office? I was a little boy when it was closed and before that I was in Jordan. So how could I have any connection with it? Just to give you an example, if you found someone with a uniform from WWII, would you accuse him of participating in WWII? It doesn't make any sense. I admit they gave me an old copy of the Koran, but that doesn't mean I have anything to do with the office. For example, a Jordanian man that used to work for the office, he was investigated and then let go. He went back to Jordan. You can check with the investigators they have this gentleman's file and my file. You can see if I had anything to do with this.

- 3(a)(7) **Makhad al -Khidmat is a terrorist organization.**

I am not associated with this organization, like I said; I was given the Koran by the Afghanis while I was in detention. This was closed about 15 years ago.

Just for your information, the Makhad al-Khidmat organization was a humanitarian organization. They distributed clothes and food to people in Afghanistan. They are very well known by the Afghani people.

Personal Represetive asks the Detainee if he has anything else to add.

All of these accusations are not true. All the interrogators that I spoke to, I never agreed or admitted to any of the accusations. They never mentioned these accusations to me. I never admitted anything in regards to these accusations. I am asking you to treat my case with justice. I do not have any problems with my country or Americans.

Questions by the Tribunal Members

- Q: Will you tell us what you were doing in Afghanistan and Pakistan before your capture?
- A: I went to Afghanistan via Pakistan to visit my brother in 2000.
- Q: What city did your brother live in?
- A: Khost.
- Q: What did your brother do in Khost?
- A: Why brother is established there in Khost. He teaches the Koran and Sharia, which is Islamic Law.
- Q: How did you pay for your travels?
- A: In Jordan I was a professional. I used to paint houses. I saved a lot of money. I made a decent living.
- Q: Did you work while living with your brother or not?
- A: I just visited him and studied the Koran and Sharia under him.
- Q: Would you tell the Tribunal about you education before you went to Afghanistan?
- A: I did not finish high school in Jordan. I went through the third year of high school.
- Q: Are you a Jordanian subject?
- A: Yes.

- Q: Did you have military training in Jordan?
- A: In Jordan we have mandatory military training. It is called people training. It is mandatory for everyone in high school, girls and boys.
- Q: You told us about a man named Abu Zubaydah and how he said false things about you. You mentioned he was tortured to say those things. Can you tell us more about that and how you know that happened?
- A: In his statement he never said he was tortured, that's impossible. We know from the American interrogators, not only me, but also a lot of other detainees on this island know that he was subject to a lot of torture. There was a picture of him, I didn't see it, and someone else did showing the signs of torture on his body. Another detainee saw an article in a magazine, I don't remember which one, he read that American interrogators said he was under psychological pressure and was in a special holding place.
- Q: Have you ever met Zubaydah?
- A: No, never.
- Q: Did you ever have to carry a weapon while in Afghanistan?
- A: No.
- Q: Did your brother have weapons in the house?
- A: No.
- Q: You mentioned in response to number five that the friend you were captured with must have said something about you taking counterintelligence training.
- A: Yes.
- Q: Do you know if he was tortured, and if so how do you know?
- A: I did not see him being tortured, but I know that torturing is common in Jordan. It does exist 100 percent in Jordan. They say in front of the world that they do not torture people but if has been proven that they do. When the Jordanian Delegation came here, they told me they would beat me when I leave here. I was being threatened here. Also, the people that were captured from Pakistan and Afghanistan were subject to torture. They were tortured in Pakistan and Baghram, and everywhere, we know that. In Kabul there is a prison called the Darkness prison, torture is a known thing.

- Q: What is your friend's name?
- A: Anwar Abu Faris.
- Q: How long have you known him?
- A: He is not really a friend; he is an in-law to my brother. My brother is married to his sister.
- Q: You have known him for a lot of years?
- A: I have known him since Jordan, but it was not a strong relationship between us.
- Q: Why were you captured in Jordan?
- A: It was an old thing; about seven years ago they captured me because I had a book. The consider this book censored. This book was printed in Jordan, it is not censored. I stayed for 50 days and then they released me. No tribunal or anything.
- Q: What was the name of the book or what was it about?
- A: I always get these two books confused. One was the Democratic Law in Islam, and the second was called Talhot, which in Arabic is like nightmare or the devil. I have forgotten the title of this book because it has been a long time.
- Q: How do you know Abu Zubaydah's statements about others are also false? Do you know what he said?
- A: I heard about it in the prison because the prisoners did talk about these things.
- Q: Have you ever traveled to Yemen?
- A: No.
- Q: If you went to visit your brother in 2000, how long did you stay?
- A: I stayed with him from 2000 until the Fall of Afghanistan. I think I arrive in March of 2000 and stayed until Fall of Afghanistan.
- Q: So this visit was longer than a year and a half.

- A: Yes, I stayed in his house to memorize the Koran. This takes a long time. After that we did the Sharia, which is the study of Islamic Law. Then things happened which prevented me from going back to Jordan.
- Q: Do you believe in Jihad?
- A: I believe in Jihad as it was mentioned in Shar al.
- Q: Does Jihad include killing of others?
- A: In our faith, Jihad is getting back your rights.
- Q: Therefore, since the United States was dropping bombs in Afghanistan, is Jihad against Americans justified?
- A: I can't give you my opinion because I did not participate in this war. I don't know, God knows.
- Q: Can you tell us the circumstances of your capture?
- A: In Kabul?
- Q: Wherever you were captured?
- A: I was captured by group of Afghanis that was part of the official government. They asked for ransom to let me go. I was kept for eight months. They tortured me and treated me very badly. After that, I escaped successfully. I went to Jalalabad and was captured by government officials there, and delivered to the Americans.
- Q: Did they ask for ransom from your brother?
- A: No. They asked for ransom from my family. They gave me a phone and I spoke to them in Jordan. Everybody in Jordan is aware of this, even the Jordanian government. It was a well-known issue.
- Q: When they captured you in Jalalabad, did they give you a reason for taking you into custody?
- A: They did not have any accusations, I was just in the city, not running or hiding. They said there were no problems; I was going to go home. They caught in a time when there was no war, I didn't have a weapon.
- Q: Do you know what date you where captured?

A: I believe it was July 17th 2002.

Q: Why did you go to Jalalabad instead of Khost, where you brother was?

A: If you knew Afghanistan, you would know that Jalalabad is much closer than Khost. We are talking about eight months after the Fall of Afghanistan and my brother and his family left Khost. I didn't have anywhere to go. It was Jalalabad then the next stop was Pakistan.

Q: You trying to leave the country?

A: Yes. I was on my way to Pakistan.

I have a question. If you find out that the witness has been saying lies or contradictory statements, will his testimony be taken into consideration?

Tribunal President advises the Detainee that the Tribunal Members have to look at all the evidence and weigh it based on what is known to be true. Included in that is the things you have told us here today as well.


The Tribunal President asks the Personal Representative if he has any further evidence or previously approved witnesses to present to the Tribunal.

Personal Representative has nothing to add.

I would like to add something. I would like to make a remark that should really be taken into consideration. No one ever, in all the interrogations, here or abroad said that I am a member of al Qaida or the Taliban. You have to take this into consideration.

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

ISN# 761
Enclosure (3)
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