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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered:

Detainee: I don't understand all of it.

Tribunal President: Do you understand you do not have to say anything to us?

Detainee: Yes.

Tribunal President: If you want to give us any information you will be allowed to do so.

Detainee: I don't have any information.

Tribunal President: Do you understand that you have a military officer here to help you today?

Detainee: What are you doing, I don't know the process.

Tribunal President: That's what I am explaining, what we are going to do.

Detainee: That's good.

Tribunal President: Your Personal Representative will help you as we go through this hearing. At any time you have a question about what we are doing or why, he may ask me.

Detainee: I have a question. Give me this information. Why am I a detainee here?

Tribunal President: We will be receiving that information shortly.

Detainee: Yes, you tell me and then I will know if it is correct or not.

Tribunal President: The three of us have never seen any of your files. This is the first time we will be hearing why the government thinks you are an enemy combatant. The promise that we gave earlier was that we would look at that information and other information and decide if is you are properly detained here. The promise that we made was that we would look at everything given to us and decide whether you have been properly classified as a detainee. This is your chance, your place to tell us what you like. You will have a chance in a little while. Do you understand why we are here and what we are about to do now?

Detainee: I don't know why I came into this place but it is okay.

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[As the Recorder was reading the unclassified summary the Translator stated the accusations were not the same as the ones he had translated. The Tribunal recessed for a few minutes to correct this.]

[After the Recorder read the unclassified summary the detainee interrupted.]

Detainee: Can I talk about this please?

Tribunal President: In just a moment.

Tribunal President: Do you wish to make a statement to this Tribunal?

Detainee: The accusation against me that I asked the Afghani soldiers for a weapon to use on Americans.

Tribunal President: Would you like to make your statement under oath? An oath is a promise to tell the truth.

Detainee: The first time I came in here I took an oath but it didn't help me.

Tribunal President: The first time you came in this room or here at Guantanamo?

Detainee: At the time I was interrogated, they gave me an oath.

Tribunal President: You may provide your statement today under oath if you wish.

Detainee: What kind of oath?

Tribunal President: We have a Muslim oath you may take if you wish to use it.

Detainee: I will take the oath for you on the accusation, where I asked the soldiers for a weapon to use on Americans.

[The detainee was sworn using the Muslim oath.]

Tribunal President: You may proceed.

Detainee: I have forgotten the accusations. If you read them again I will speak to them.

Tribunal President: Personal Representative please assist the detainee.

Personal Representative: 3. (The detainee attempted to engage in hostilities against the United States.)

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Detainee: I don't understand the meaning of the word.

Tribunal President: Which word?

Detainee: Hostilities.

Tribunal President: Hostilities is a fight or an attack, that's what it means that you wanted to fight or attack or to kill or to damage the United States. Hostilities against the United States.

Personal Representative: 3.1. (The detainee asked Afghan soldiers for weapons to fight Americans.)

Detainee: This is a lie about me. I took the oath what should I do about it?

Tribunal Member: Tell us if it is true or not.

Detainee: This is a lie. How could it be true? It is not possible.

Personal Representative: 3.2. (The detainee is associated with individuals willing to participate in attacks against Americans.)

Detainee: Who are these people that I was associated with? Why don't you tell me their names? I don't know those people.

Tribunal President: We don't have that information either. This is all we know. We do not know the names.

Detainee: You should have gotten complete information before you brought everybody here as detainees. This is not correct. Somebody must have some kind of animosity against me.

Personal Representative: Let me read the last allegation then you can tell the Tribunal what you told me.

Detainee: I didn't understand the accusation.

Tribunal President: The Personal Representative will read the last part of the accusation for you.

Personal Representative: 3.b. (The detainee was captured in January 2003, by Afghan military forces in Gereshk, Afghanistan after attempting to obtain weapons to kill Americans.)

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Detainee: Do you have the weapon that you accuse me of having? Can you show it to me? Can you show me what weapon I had in my hand?

Tribunal President: This statement does not say you had a weapon. You tried to buy one or tried to get one.

Detainee: This is animosity. You don't know it but someone with animosity would say that. This is very clear you should know that. If I don't know how to get a weapon how could this be possible?

Personal Representative: Are these allegations against you true or not true?

Detainee: None of these are true. None of them are based on truth.

Personal Representative: You have told your story before to others and to me but these men have never heard your story and they have never read anything about you. Would you like to tell them the same story that you told me when I met with you a few days ago?

Detainee: What story?

Personal Representative: You told me that you lived with your uncle and that you were traveling to visit another one.

Detainee: Now I know what you are talking about. I was living at my uncle's house because I don't have a mom and dad. I decided to go and visit my uncle from my mother's side. I was walking and then got into a car. After awhile it got dark and I saw a tent and went to the tent for the night. The tent belonged to soldiers and I stayed and ate with them. They asked me to stay the night with them. In the morning when I woke up I told them I was going to leave and go to my uncle's home. They told me I couldn't leave. They put me in a car and transported me somewhere else. One guy told me that he would give me a weapon and told me I had to fight against Americans. I told them no and told them I was going to my uncle's home. They told me again I would have to fight against Americans. I told them no and they took me somewhere and wrote a paper. They then took me to a jail and I was detained.

Personal Representative: Why did you stop at the tent when you were traveling?

Detainee: I didn't have any money.

Personal Representative: You said when you went to the tent that there were soldiers there. How did you recognize them as soldiers.

Detainee: I saw the weapons with them.

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Personal Representative: Did they have uniforms on?

Detainee: They had on national clothes not military suits.

Personal Representative: Was there anybody else there besides the soldiers and you?
Did anybody else spend the night in the tent?

Detainee: All of them were soldiers.

Personal Representative: So when you were taken by the soldiers to another place were you the only one that they gave up or was there some one else with you?

Detainee: One other guy also.

Personal Representative: Where did you meet that other guy for the first time?

Detainee: In the car.

Personal Representative: Do you know his name?

Detainee: Yes.

Personal Representative: What was his name?

Detainee: Abujahn. I don't know more than that. I asked him one time and he told me his name was Abujahn.

Personal Representative: What happened to that other person when you were taken to the jail?

Detainee: He was opposite of my room, he was also detained.

Personal Representative: In what city were you handed over to the Americans?

Detainee: Gereshk.

Personal Representative: I have nothing else sir.

Detainee: It seems like you are keeping and detaining innocent people.

Tribunal President: Does this conclude your statement?

Detainee: Of course I have something else to say. Why have I been accused and why am I detained here?

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Tribunal President: We are trying to find out and cannot answer that at this time.

Detainee: That's right I want an answer.

Tribunal President: You will receive an answer when we have completed all the proceedings.

Tribunal President: Personal Representative do you have any questions for the detainee?

Personal Representative: Just one. Do you know or ever heard of the name Agga Khan?

Detainee: No.

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

Recorder: No sir.

Tribunal President: Does the board members have any questions for the detainee?

Tribunal Members: No sir.

Tribunal President: Do you have any other evidence to present to this Tribunal?

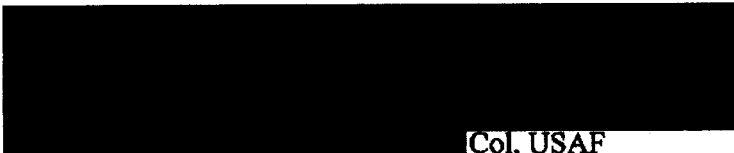
Detainee: No.

Tribunal President: Personal Representative do you have any other evidence to present to this Tribunal?

Personal Representative: No sir.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Col, USAF

Tribunal President

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Enclosure (3)
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