

Summarized Unsworn 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 Recorder presented Exhibits R-1 and 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.

Tribunal President stated that the detainee wants to participate and has requested one witness, which will be present later on during the tribunal hearing.

The Recorder administers the Muslim oath to the detainee.

Detainee: All of my testifying during this tribunal is fact.

Tribunal President: You may now begin.

Detainee: How do I start? Is he going to say one at the time?

Personal Representative: I can read them off and you can respond.

The Personal Representative read the accusations to the detainee so that he could respond to the allegations. The allegations appear in italics, below.

3.a. The detainee is associated with al Qaida and the Taliban.

3.a.1. The detainee is associated with al Qaida.

Detainee: I did not say that.

3.a.2. The detainee is associated with the Taliban.

Detainee: I have never said that.

3.a.3. The detainee is known by an al Qaida facilitator.

Detainee: I never did.

3.a.4. The detainee has attempted to travel on a false visa.

Detainee: I never traveled with a fake Visa.

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3.a.5. The detainee was trained by a General on the use of a Kalashnikov rifle.

Detainee: I said that, I never trained for that.

3.a.6. The detainee is possibly associated with UBL (Usama Bin Laden) terrorist activities based upon information gathered from telephone records.

Detainee: I never said that. I was not a member of that.

3.a.7. The detainee reports being imprisoned by the Taliban for 5 years, approximately 1996 through 2001.

Detainee: When was that, in January through what year? (The detainee said this during initial reading of the allegations by the Recorder.)

3.a.8. The detainee reports that he has children born in approximately 1998 (4 years old in 2003) and 2000 (2-3 years old in 2003), which conflicts with his stated imprisonment dates.

(Both 3.a.7. and 3.a.8. were answered by the detainee at the same time)

Detainee: I did not tell him the numbers from what year to what year. As I told them, when I had been captured or imprisoned, I had newborn son. When released, the Americans had already been there. I do not relate to the calendar, with dates, I don't know much about that. I'm not a literate person. I do not even read. When I was released, I feel that my son was about five years old. Since I have been captured, here with you guys, it's been two years. By now, he should be seven years old. When I was captured I had a year old son and a newborn (fresh) baby girl. And that was exactly what I told them. I had a one-year-old son, and a newly born daughter. I don't deal with paper and pencil. They wrote it down, I don't write. I have no need to lie about my children's age and I told you what I thought how old they were.

3.b. The detainee participated in military operations against the coalition.

3.b.1. The detainee reportedly admitted to planning to plant explosive devices.

Detainee: I never did that.

3.b.2. The detainee was identified as a person who was going to plant the explosive devices.

Detainee: I did not say that.

Tribunal President: That's everything on the unclassified summary, is there anything else you'd like to tell?

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Detainee: I have this one question that I would like to talk about. Yeah, it's coming to my mind, and I'm asking myself and maybe now I will ask if from you. What was the reason that I was imprisoned in Kandahar for five years? (The interpreter indicates that the Detainee was being factious.) You're telling me that I was from the Taliban, and at the same time I was in prison in the Taliban city for five years.

Tribunal President: This is your opportunity to tell us that you want us to know about you.

Detainee: I got imprisoned because I was caught fighting against the Taliban. I belonged to, worked for Haji Qadir. The Taliban assassinated his brother; his name was Haji Douda, David. I was part of his people. He was against the Taliban; we were fighting against the Taliban at all times. There were hundreds of us. If you consider me to have ties to Al Qaida, then my boss Haji Qadir and his brother, Adbulhak, they are al Qaida people. I did not like the way the Taliban was going about their business. We did not accept oppression and be imprisoned through their system. I wanted to be a free man. So, I decided to fight them. I ended up in prison for five years.

Let's talk about planting explosives. There are one hundred and twenty people in prison with me, at the same time I got captured. From that one hundred twenty people, sixty-two people were released from the prison, and that was time that we came back towards the Eastern side of Afghanistan, which is Jalalabad, which is where I'm from. We were given 20,000 Pakistani Rupees by Haji Qadir to all these sixty-two people for their time spent in prison. There was a Brigadier General named Said Agha and his nicknamed Sakib. When Haji Qadir was finally assassinated in Kabul, this Brigadier General told us that you guys fought for Haji Qadir, you fought against the Taliban, you fought for our countries, freedom. If you guys want to receive some positions in the governmental branches then you guys tell me what you're preferred job would be. This general gave me a job. His infantry, I became an Officer in Charge, or commander for one of his five sectors. I had about twelve soldiers under my command. We were handling one of General's five different sectors of militia. There was a place called Shair Shahi, I was outside of the town, Jalalabad, and had my own militia with me. A commander told me another sector needed me, I was told to go to another group. When I was there, a commander came and told me that another sector of the General's needs me in his other militia from this one group and I was told to go to this other group. It was before dark by the time I got to the different group. I spent the night, and the next morning when I got up and I was captured. The witness that we go to Sharifullah he was among the captured. When I was captured, he was about three rooms away from me, or fifteen steps. In that area, where he had his room, and my room, they came and picked us up, captured us there. Now, these Americans are telling me that there are explosives, in all of that, I do not know where these sort of explosives where in that area where Sharifullah and I was, there was another room and they found something, where did they see them? That's all I know right now I do not know nothing about those explosives at all. I spent those five years in Kandahar that should tell everybody that what I stood for and why was I put in jail, and everybody should know what I lived for. I was so young, that is what happened to me. That's what I lost in my life. I lost my teeth and I was beaten up everyday. I don't

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have teeth; the Taliban beat me. I lost my teeth as a young boy, in my young life. I'm here because somebody got paid some dollars. Somebody got paid by turning in people, those are the people that should be here, not us. I don't blame the America, they don't know the facts of what is going, what is happening in Afghanistan. You don't know that. Here, I'm accused of being with al Qaida and Usama Bin Laden, and then at the same time, I was imprisoned by them for five years with the Taliban. I'm tired of here as well. This justice, I will swear to anything, I will put my hand on the Koran, I may have done wrong things in my life, I've probably committed you know, bad things in my life, but, I did not do, or commit any of these accusations that you guys have against me. We are Muslims; we are not traitors. If we decided that these people are not good for Afghanistan, we fought against them. I lost my life, my teeth, just because they were in power, or they have power, I would not have traded my statement in what I believe. Go ahead and work for them again. Where you have them accused me with being with the Taliban. I would not do that. When Americans came to Afghanistan, I was in prison, we were cheering and screaming. We were going to be released and the Taliban isn't in power. How could I be so bad to turn around and fight against the people who released me from prison? If you have questions, I'm willing to talk about it a little more.

Tribunal President: At this point, we may have some questions for you. Would you be willing to answer some of those questions?

Detainee: I'm present here and I'm ready.

Personal Representative: Have you ever attempted to travel outside of Afghanistan?

Detainee: Okay, I will answer this one. I was in prison for five years. Then I was working for one year. Then I was captured for a couple years. During this time, I never traveled. That should answer your question. Most of these questions I have only been asked in this tribunal. When I was interrogated none of these questions or accusations came into the picture. Nobody told me if I ever traveled, they never told me if I had anything to do with al Qaida. You are honestly telling me that you are a Mujahadeen, freedom fighters, that I you will be going home soon. It is possible that you made a mistake, concerning these mines and planting explosives. Remember you asking me about my children, or about the explosives or about planes, making trips. Please, I am hoping that you guys, very beautiful lady, look at my case, study, try to find out who I am, and decide about me.

Personal Representative: Have you been outside of Afghanistan?

Detainee: When the Russians were there. We took a family trip to Pakistan. My sister, my brother, my father, the whole family went on that vacation. That was during the Russians, when they came a lot of people went as refugees to Pakistan and after the Russians were gone, we, the whole family, came back to Afghanistan. Never returned after that. I was a little kid at that time. I had never seen anywhere else in my life.

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Personal Representative: Do you remember when you learned how to use the Kalashnikov AK-47?

Detainee: I received my Kalashnikov before I have shaved for the first time. I was still a young kid; I haven't shaved at this time. The Kalashnikov was given to me by Haji Qadir, to fight the Taliban. Not even a month later, I was imprisoned by the Taliban.

Personal Representative: When you were captured, did you have a telephone in your possession?

Detainee: Since my mother gave me birth, I have not touched a telephone. I don't even know how it performs, never been on the phone in my life. Yeah, in my last letter to my family I told them if they could clearly write me a phone number maybe I should try to use the phone for the first time. Maybe I can call them. I don't have a phone at home; my father is somewhere in the city. I'm hoping one of his friends will send me number so that maybe I can talk to my father.

Personal Representative: Do you know month, date, and year of your own birth?

Detainee: I don't know numbers. We don't have dates. I know my mom and dad estimated my age they would say you've been around more than two Easters now. Like they would refer to Christmas, or something. So, when we talk about age, we say you're three Easters old, something like that. Just as an example, there was fifteen days to Eid, which is the grade of Easter in Afghanistan that I was caught. So, we are always refer to either Christmas. Now, I'm just waiting for, when is the next eve, because when there is fifteen days to the next Eid or Easter, I know I will be here two years.

Personal Representative: Do you know month, day, and year of children's birth?

Detainee: For example, I spend five years in Kandahar, like I estimated, I was five years there, and two years here I do not know dates. I still don't know my own age.

Personal Representative: Is it common for Afghani's to celebrate birthdays or annual dates of birth?

Detainee: No, we don't have that custom.

Personal Representative: You stated that the day you were captured, which compound, where were you when you were captured?

Detainee: I think Shushiheed. I was transferred from Shushiheed to the Artillery branch. That's where I was captured.

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Personal Representative: How long were you there at the compound?

Detainee: Early, that day, before the dark, before it got dark. He was captured the next morning.

Personal Representative: Do you know any reason why you would be accused of having control, or ownership of explosive devices?

Detainee: No, the reason I was captured I was taken to a room. I said okay, fine, did they pick me out as a mistake and they were going to come back and release me. But, obviously that didn't happen. Then I went to Bagram and they said, no, you will be released there, and here I am.

Personal Representative: That's all my questions.

Detainee: Thank you so much for my questions.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. When you were captured, you said they woke you up did they wake everybody up?

A. They didn't wake me up.

Q. You were already awake?

A. I just had tea for my breakfast. I came out of my room, and I did not see any Americans themselves, but the people were shouting and screaming. I said what's going on here, and somebody came and captured me.

Q. You said you were three rooms away from where they arrested the other guy, is that where the explosives were found in that other room?

A. I was in the middle of Sharifullah's room, and his brother's room, that he mentioned his name, that's where I was caught. (The interpreter indicated that he did not finish asking the detainee the entire question) I did not see how they caught Sharifullah. I was not there with Sharifullah in that room. I did not see him, whether there were explosives or not I do not know that. I was, they were put together and I was with him for five minutes in one room, we were put together in one room.

Q. What was your job at the compound?

A. I was transferred from Shushiheed compound to this other compound that had a lot of cannons, artillery. I had just arrived there, that night. The only thing I was in charge of, when I arrived there, I was in charge of those twelve people that were brought with me. What my job was, was military related. The name of the head of the compound was Samay-Ullah. There was a compound that had only one wall. It was open on the other sides.

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Q. That is why I asked you to describe the compound. Can you tell me how difficult would it be for someone to bring in explosives?

A. I'm amazed about the same thing. I don't know. I never saw that. I don't even know if there were any explosives there or not. Yes or no, who brought it, where were they, I don't know. My job was not related to those explosives.

Q. Who were you arrested with, what was his name?

A. Sharifullah.

Q. Do you know if he had a phone?

A. I don't know if he owned one or not. Only thing I know about Sharifullah that he was like him, in the same compound, operating in that compound for Haji Qadir.

Q. You said Sharifullah was in his brother's room. Were you and Sharifullah good friends?

A. Before I got captured, I did not know that Sharifullah even existed there. Was he caught or not, did he work there or not; I did not know his existence at that compound, until then.

Q. Were you close friends with Sharifullah's brother?

A. His brother was the head of the group of soldiers that I was transferred to. I knew that he had a brother named Sharifullah.

Q. Sharifullah's brother had a room. Fazzal (ph) had a room. Did everyone get a room? Who decided who had a room?

A. Sharifullah did not have his own room, he come to see his brother there. He earlier said that he was head of the division. I thinking that Sharifullah was required for some kind of position with his brother, to get something going, but that's just my guess.

Q. Do you have a passport?

A. No, I do not have a passport.

Q. Do you have weapons/explosives training?

A. I do not recognize explosives. I do not, no.

Q. You said that the General did not train you with the Kalashnikov; did he train you in anything else?

A. You don't need training for the Kalashnikov. It's not like the General was teaching anybody any training on the Kalashnikov. The General was not that available that much to train everybody in the Kalashnikov here, three thousand people working for him. I don't think anybody from the revolution to another I don't think anybody needed to learn how to fire a Kalashnikov.

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Q. You said that you knew that Sharifullah's brother, that he had a brother, how did you know that?

A. I knew Sharifullah because his brother Kari Naquibullah was another officer with that division. I knew Naquibullah, Sharifullah's brother, like a soldier, like you know each other. He was handpicked, Naquibullah himself, he was handpicked by Karzai government for being such a great soldier, to go to, to attend training given by the British and American soldiers in Kabul. He was handpicked because he was a great soldier.

Q. I just want to make sure I understand your relationship with the brother, so you knew him informally, you didn't know him well

A. I agree with you. I know him through his occupation. I never had tea with him, never went to his village, and never went to his tribe, or anything like that. I never had a gathering with him, any talks, and discussions with him. He was coming to (inaudible) and coming to sign in his time sheets, as part of the system, I was going there and I use to see him there.

Q. Were you told why you were being transferred to the new compound?

A. I will tell you the reason now. When I told you about the Shushiheed, the big division, compound that I talked about, it was a huge compound. This particular, he twelve people that I spoke about, whatever job that they were doing, they were taking turns one group was going and one group was being released. That's how I was associated with that. We were there for a while, they told me no, no, we are going to transfer you and your twelve people, your group to the artillery division, in a different spot. When captured I had my transfer paper, my food allowance, all the papers that I give to the people who were captured with. This is what I had when you guys caught me.

Q. You indicated that you were the commander, or leader of these twelve people, why were you the commander? What qualification did you have that they didn't?

A. Good job, good question. In American, here, unless you have a lot of education and a lot of operational experiences, and a lot of qualifications you're not given higher authorities. But in Afghanistan, especially in the old days, it was not how educated you were, or how much you have fought, Haji Qadir gifted me with this position for the time I spent in the prison, you sacrificed so much for us, that you deserve to, you know, the twelve people for the time that spent, five years, the five years you spent with the Taliban. If you go through tough times, and you show that you have, you can take hardship that is recognition for you that you can go through a lot. Talking about education, Hazrat Ali, was the head of whole province of Jalalabad, he couldn't even write as much as I did, so, it's not always about writing and education and stuff. My qualifications there are other tangibles and stuff. Maybe now, things will change, and people will get qualified upon their education and their competency, understanding of situations.

Q. Would you say that in the compound that you were arrested, there were a couple hundred soldiers?

A. I don't know that.

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Q. A lot, a lot of people?

A. When I got to the compound, it was right before it got dark. I got up the next morning, so, when I got up the next morning, I was looking around. There were some people shouting, but I could not estimate. There were about twenty people or fifty, or, I don't know.

Q. When you were arrested, was it just you and Sharifullah? You were the only two arrested?

A. Me and Sharifullah got captured, but I did not see him get captured, because I saw him later. I don't know if he saw me getting captured either.

Q. You said that between your five years in the Taliban prison, and your capture in the compound you were working for one year. What were you doing for that one-year you were working?

A. I was in school, before they caught me. I did not work, as far as I know; I was going to school before I got captured by the Taliban.

Q. I thought he said that after he got released from five years with the Taliban, for one year then he...

Interpreter: I'm sorry, I misunderstood, I thought you meant before he was captured....

A. See, that is what I'm talking about being an officer, within those compounds, under Haji Qadir.

Q. Did I understand you say, that you and your family were in a refugee camp in Pakistan, and if so, how long were you there?

A. Yes were in the camps.

Q. How long?

Interpreter: He is using a lot of expressions that aren't known by anybody.

A. Again, I do not know days, when I left Afghanistan, I do not know myself, I wasn't an adult, and I was a kid.

Interpreter: I can ask him again, one more time, if you want me to, about how many years or something, so to specify that.

Q. Well, just a range, I mean, was he a child, when he left, was he then a teenager, or adult?

Interpreter: I asked him how many Easters he spent there...

A. About three or four years. I remember that much from when we were coming back, I was competent enough, that you know, here we are, making a trip back to Afghanistan, we are going to our house, I was becoming an adult.

Interpreter: This is hard to translate, his date, how old he was.

Q. You indicated you were put into prison for being against Taliban. Did you actually fight against the Taliban?

A. Yes, because I was fighting.

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Q. Sharifullah's brother, he was not your supervisor, that's correct?

A. Yes, I'm sure he is not my boss. Whether how high his rank was, I could not recognize that much, I think he was in charge of few soldiers, same amount, same amount of responsibility as I had. He was not my supervisor. The General was my boss.

Tribunal President's questions.

Q. Can you tell us, you said you were working for Haji Qadir, can you tell us how you got connected with him, how did you hook up with him?

A. It's not like it was a hiring or firing employees, it was a movement, Our leaders, Haji Qadir, it was a movement, everybody was joining the movement against Taliban. I became one of them. Haji Qadir became very serious about us. He had to continue with his battle against the Taliban, because the captured these one hundred twenty people, innocently, he swears to fight all against the Taliban. Five years in prison is a long, long time, and Haji Qadir knew this, and that deserved a lot, he told us, he started to love us and knew we were faithful fighters for him and will lead us on.

Q. What did Qadir think of Karzai?

A. I did not get, or reach the level to understand the two leaders. What they thought about each other was above my level of participation, education. When he got assassinated, which I remember that day, he was assassinated in Kabul.

Q. Who Qadir?

A. Yes, Qadir, when he got assassinated. To answer your question, I think your question is a very good question, all I know is when he got assassinated; in appreciation for my services I was given that job as an officer. As for Karzai was for him or against him, you know, he treated followers nicer in a way, Karzai did. I was running a ministry for the government of Karzai at that time. I was the Minister of Public Benefits.

Q. So, he had a position for the government?

A. I was asked to come. That was a very good question. I was thinking about it, they told me to come, in anticipation for the new government. He was a very big man on the Eastern part of Afghanistan. He had actually asked for a lot protection, they didn't give it to him, which is why he got assassinated, he car was topped, right on the stop, on the street. I was the minister.

Q. In your soldier position, for the new government, did you have a uniform, rank, name tags?

A. Yes.

Q. So they could identify you as you with your rank?

A. We had ranks.

Interpreter: I asked him, well; did you have your clothes on when you got caught?

A. The rule of thumb was that you do not put your uniform on unless you have the tea first. At that time when captured, I did not have my uniform on.

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Q. Of the people that you saw, the morning you were arrested, would you say that you were the senior ranking person?

A. Mostly I saw only soldiers that had come, that they were shouting, forcing people, pushing and shoving. I only saw as recognition goes, I only saw soldier types of uniforms, I had only been there that morning, I did not see higher-ranking people like this.

Q. Where were your twelve men as you were being captured?

A. They were in their rooms.

Q. Did they come out though?

A. The room where we were together, he had just come out, with those twelve people. I told you over twelve people. The number had initiated twelve before I left. I brought seven people with me; because the head of that particular compound told me that for now take the people who have gone through the process, not new people, qualified as compared to the five people I left behind. So I brought some people who have been through training. There were seven people in those rooms.

Q. Do you have any reason to believe that you may have had personal enemies that may have provided false information about you?

A. I don't want to blame anyone; I don't know that answer, that someone turned me in or not. I don't know the case. It's not like I came there by force to that new compound from the previous compound, where they may have not liked me, I came there with the previous arrangement by the order of the other commander and by the request of this commander, and I don't know who might have turned me in, it's somebody who is my enemy.

Tribunal President: At this time, is there anything else you'd like to tell us?

Detainee: Of course, I have a lot to say, but this is my duty, this is my case. I have this question. I'm not the kind of commander that you would think, like the whole of Afghanistan, for that matter, the whole province of Jalalabad. I was like this light to the Karzai government. They know us very well, personally me, because he was aware of my imprisonment with the Taliban. He gave him five hundred Afghani's, for the time that I spent as a prisoner. They have exaggerated in brutality in my case. I can spend a thousand years in this compound. It wouldn't hurt me a lot. I can do this, that's not the issue. I don't belong here. I can prove this truth to you, by lots of people in Afghanistan, what I did, what I stood for. Please try to read my case and make the right decision for me. I spent five years there; my third is going to start here pretty soon. That will make it eight, and eight more will pass like this. I can't do nothing about it, there's nothing I can do about it. Everyday I spend here makes a bad reputation for United States. I'm not al Qaida, or not Bin Laden, I'm not Malar Rumor (ph). Even if I was released, someday you will find me guilty. I'm ready to be hung, ready to be punished. Whatever I have to say concerning this case, I have told you.

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Tribunal President: Personal Representative, did you have any other evidence or does the detainee have any previously approved witnesses to present to this tribunal?

Personal Representative: Yes, Ma'am we have a pre-approved witness, Sharifullah.

Tribunal President: At this time, let me explain to you how the witness process occurs. We will bring him in and I'll ask him if he is still willing to testify for you. Then you will be allowed the first opportunity to ask him questions to get him to present information that you think is relevant to your case. Then the Personal Representative, the Recorder, and the Tribunal Members will be able to ask questions. I would like to remind you everything needs to be translated.

Detainee: That's fine.

Tribunal President: You are certainly welcome to give him a brief greeting or brief exit greeting, orally. Again, please remember, that it all needs to be translated.

Detainee: (laughing) So there is no hidden stuff said.

Tribunal President: Yes, that's a way to put it.

Detainee: You cannot cover the sun with two fingers.

The Tribunal President called for a brief recess while the witness is brought into the room.

Hearing is reconvened with witness and detainee present.

Detainee: May I say hi to him now?

Tribunal President: Yes, you certainly can.

The detainee and witness exchange greetings.

Tribunal President: This tribunal has been reconvened with the witness in the room. Would you please state your name for the record?

Witness: My name is Sharifullah I'm from the providence Mangrahar.

Tribunal President: You are here today to testify for Said Amir Jan, are you still willing to do so, and are you willing to do so under oath?

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The recorder administered the oath to the witness.

Witness: That my testimony in front of the tribunals are truth.

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

Detainee: Yes, I do. The accusations that they have against me about the bombs and explosions. Did I have anything to do with that situation or not?

Witness: No he did not.

Detainee: Should I ask another question?

Tribunal President: Yes, go ahead.

Detainee: I have a second question. I have a question about my association about Usama Bin Laden, al Qaida, phone numbers, etc?

Witness: All lies, from day one, he was against the Taliban campaign, he was in prison for five years, can it be possible, you know, he fought against the Taliban and al Qaida, but at the same time have association, affiliated with them is that possible?

Detainee: There is no more questions to ask. These are two tough questions that I ask him.

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

Personal Representative: Yes Ma'am, I do. The first question is how do you know Said Amir Jan?

Witness: I met him after the fall of the Taliban when he was released from the prison in Kandahar. I met him in Jalalabad.

Personal Representative: Do you know why was Said Amir Jan was put in the Taliban prison?

Witness: The reason was because he was fighting the Taliban and they captured him and put him in jail.

Personal Representative: You stated he was in prison. How did you know how long he was in prison?

Witness: After the fall of the Taliban Haji Qadir was in Nooristan providence and everybody went to see him, for his leadership. Said Adamir was known as Ghorzang and

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that how I got to know him. Everybody went to their own states after the fall of Taliban if they were captured. They went to their own states.

Personal Representative: In reference to compound where you both were captured; how long was Said Amir Jan at the compound before captured?

Witness: He had just arrived the previous evening.

Personal Representative: Do you know if Said Amir Jan every planted, or plan to plant explosives devices?

Witness: I do not know anything about it. Knowing him, I don't think he would do anything like that. Usually, explosives and bombs are al Qaida and Taliban related. We're not that kind of people.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. Sharifullah, do you drink tea?

A. Yes.

Q. Have you drunk tea with the Said Amir Jan?

A. I never had tea with him; at the time, that he came to the compound I did talk to him, he was transferred before he was captured. Whether in the past, at all he had ever seen him in Mangrahar province, had tea somewhere, I don't recall.

Q. Do you have a cell phone?

A. No, never had one in my life.

Q. Does your brother have one?

A. My brother did have a C.B. radio, walkie-talkie.

Q. Did you know if Said Amir Jan owned a vehicle?

A. When I was released from Kabul, and went to my state, I think twenty-two days spent in Jalalabad, until met him. I don't know if he ever had a car.

Q. Did your brother know Said Jan?

A. My brother and Said Amir were in one division, one brigade.

Q. Was it an informal or did they know each other well?

A. I think they only knew each other through their profession, when they were working.

Q. I just want to clarify, you knew Jan for about, since he was released from prison, so at least two years. Before you came here? How long did you know Said Jan in Afghanistan?

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A. Not specified amount of time. I saw him in Jalalabad and I knew he's the guy that spent five years with the Taliban and his name was Ghorzang and then I went to Kabul to the capital.

Interpreter: Do you want me to ask him again, for how long did he know him, I can.

Q. I guess my question is did you know him well or did you just know of him?

A. Kind of both. I heard of him and then I knew he was working for my brother, I mean, it was in the same spot, same brigade as my brother, I had seen him, so a combination of both.

Q. Just to clarify, you were arrested at the same time, how many others were arrested with you?

A. When I was caught, I was put inside of a Datsun, which was the old name for a Nissan. They took to where the Americans were. I was put into a room. I was there; they brought him as well into the same room. I asked him, what are we doing here; he goes, I don't know, I'm captured as well. I don't know, they brought me here. Then they took him away from that one room.

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

Witness: Thank you so much for having us here. Please try to expedite our case procedures. We've been here for two years. We did not hold anything in the government over there. Please try to finish up with our case.

Tribunal President: Thank you. We will take a brief recess while the witness is removed from the room.

Tribunal is recessed until after witness is removed from the room.

Detainee: Like a court? (Said as a comment, not a question)

The Tribunal President confirms that the detainee had no further evidence or witnesses to present to the Tribunal. The Tribunal President explains the remainder of the Tribunal process to the detainee and adjourns 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

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