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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

When asked by the Tribunal President if the detainee had any questions concerning the Tribunal process, the Detainee answered, "No."

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

Detainee: Yes.

Tribunal President: Would you like to make your statement under oath?

Detainee: Yes.

[The detainee was sworn using the Muslim oath.]

Tribunal President: You may now proceed with your statement.

Detainee: I have a question for the Tribunal.

Tribunal President: Please.

Detainee: What percentage of the evidence will it take to prove I'm guilty?

Tribunal President: The Tribunal does not work off of percentages. We review all evidence including statements and will consider them to determine your status as an enemy combatant.

Detainee: One evidence is fruitful based on evidence if I'm guilty. One evidence is noticed by some other people like my enemy. How will that be proof that I am an enemy combatant or not?

Tribunal President: That's why we are here to examine the evidence. We cannot answer before we hear it. This is the first time any of the Tribunal Members have seen this information this is all we know. Does this answer your question? Does it help you?

Detainee: I hope so.

Tribunal President: Any time you have questions about what we are doing here you may ask them.

Detainee: Okay.

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Tribunal President: Personal Representative will you assist the detainee in making your statements.

Personal Representative: 3.a.1. (The detainee was identified as being in charge of Hisb-I Islami Gulbuddin (HIG) operations in Jalalabad, Nangarhar Province, Afghanistan.)

Detainee: Do you want an answer?

Personal Representative: Yes please, is this correct?

Detainee: I'm a resident and was born in Patta. I have never in my life been in Jalalabad. I have only heard if it's name. No American soldiers knew me before they arrested me. I was never on TV, I was never in the news, and my name or my face was never in the newspaper. I think my personal enemy gave some wrong information and the Americans came to my house to arrest me. I am not an important person in Afghanistan. Only the United States military or government has the evidence. The information by my enemy and my personal information is all wrong, it will not prove anything. The point that I belong to Hisb-I Islami. In my files I told my whole life story everything that has happened to me from the beginning to the end and nobody has ever mentioned Hisb-I Islami in my interrogations. No one has ever mentioned or asked me about Hisb-I Islami. This is the first time I have heard of it. The first time I went to Bagram, I was told I was a butcher, the interrogator. It was a surprise. Someone told me I had the wrong visa and I was a possible dealer or smuggler of people. I was interrogated for three months and they told me I fired a rocket. The people I mentioned before gave the wrong information to the American soldiers. I lived in Afghanistan until I was 14 or 15 years of age. We then moved to Pakistan for about nine years and then moved back to Afghanistan. I have never been a member of any organization. I have never worked for anybody; I have never worked for the government or any political or military organization.

Detainee: Read the first accusation again.

Personal Representative: The detainee was identified as being in charge of Hisb-I Islami Gulbuddin (HIG) operations in Jalalabad, Nangarhar Province, Afghanistan.

Detainee: I have never been in or seen Jalalabad. I don't know anything about Hisb-I Islami. When we moved to Pakistan I just went to school and came home to do homework with my family. When we moved back to Afghanistan there was only the Taliban Government. None of my family members were members of Hisb-I Islami.

[The detainee did not speak to 3.a.2. (HIG has been designated as a terrorist organization by the United States Department of Homeland Security.)]

Personal Representative: 3.a.3. (The detainee attended a meeting in Pakistan with other leaders of HIG and the Taliban to discuss operations against United States forces in December 2002.)

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Detainee: I don't know anybody that belongs to Hisb-I Islami and nobody that belongs to the Taliban group. How is this possible if I don't know anybody from either group. And I am supposed to have gone to another country and made plans against America, this is impossible. I was the only one to take care of my family. It was impossible for me to leave my home for one day. I hope you have some knowledge of Afghanistan. People have disputes that last for so long. I have a personal enemy. Some people can't go face to face and have to wait for a reason. Now there is a reason and they gave the wrong information to the Americans who put me in prison.

Personal Representative: 3.a.3. (Mullah "Qasim" was the Chief of Investigations and Interrogations for the Taliban in Zormat, Afghanistan.)

Detainee: I don't know the exact date but when we returned to Afghanistan from Pakistan, it was the Taliban Government. They were in power for about another one and a half years. I stayed at home for about six months. Then I started building streets for the government. I did this for about five or six months. About a month later the Taliban Government was thrown out. There is a person called (inaudible) who was high ranking in the Taliban Government. He is very powerful and my personal enemy. How is it possible that I can work with him? My father worked for the last communist government on the Supreme Council. (Inaudible) This guy mentioned (inaudible) and his father killed my father. Then they came and robbed our house. His family is powerful (inaudible) then they killed my father and robbed our house. With him working in the Taliban Government, it would be impossible for me to work with them.

Detainee: I would like to (inaudible.)

Tribunal President: Please.

Detainee: I don't know anybody in our area that is a Hisb-I Islami member. There is no Hisb-I Islami in our area, I have only heard of them on the radio. Like I mentioned before about my personal enemy. The American soldiers did not know me or recognize me. I asked the interrogators about anybody that gave information about me. I asked them to sit and talk about it and I would prove it was my personal enemy and the information that he gave was wrong. Some people in our area were very rich and powerful and worked with the government and the American forces. They would get people to come and write about different things. There were poor people and they would give them money to put things down. This is a very rich and powerful businessman. He has worked with all the governments to include the present government. If he doesn't like some one or he has a dispute with some one he will give the money to the people and they will be given to the Americans...(inaudible.) The night they arrested me and put me in a car there were Afghan soldiers there also. I asked the soldier what was going on and why the Americans came to my house? The soldier told me that they didn't know me nor did the Americans know me. He said some people from my village came the day before and gave a report. The Americans said they couldn't go at that time and told them to go and get me. Maybe there were more reports before this one, but they know I had

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problems with this person. I asked the interrogators to give me the time to prove this was my personal enemy. I was never an enemy of the present government or America. I have never spoken against America. About me meeting with the other leaders, that is impossible. If I were meeting with these people I would have to have a very important position and be an important person. How is this possible? No member of my family is part of this; I don't know any of these people. I have always been a small person. I have always just helped my father and mother. My job for the Taliban government was for only four or five months. I would work in a warehouse in the morning then drive a car up the mountain and bring rock back down for the street. The interrogators asked me if I worked for Ahmed Shah. I don't know him; maybe he had seventy or eighty other workers like me. I only know him by face, the Minister of Public Affairs, but he doesn't know me. He had a lot of workers like me. I have no connection with him.

Tribunal President: I'll ask a question. I'm not sure why this Ahmed Shah is part of the evidence that has been presented.

Detainee: (inaudible)

Tribunal President: Does this conclude your statement?

Detainee: What does that mean?

Tribunal President: Have you provided all the information you would like on the unclassified information?

Detainee: Yes. I'm sorry, I'm still not clear on what...

Tribunal President: Are you finished with providing us information?

Detainee: Yes.

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

Personal Representative: No sir.

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

Personal Representative: No sir.

Tribunal President: Do the Tribunal Members have any questions for the detainee?

Personal Representative: Yes sir.

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Summarized Answers in Response to Questions by the Tribunal Members

- Q. Can you clarify? You said you moved to Pakistan when you were fourteen, when did you move back to Afghanistan?
- A. Almost nine years.
- Q. Nines years so you were 23, 24. Do you know what year that was?
- A. I don't know the year.
- Q. You are not sure what year it was, but I think you said it was about a year and a half before the fall of the Taliban?
- A. Almost.
- Q. But when the Taliban was in charge you only lived in Afghanistan for about a year and a half?
- A. Yes.
- Q. In the last point of the evidence, it says you may have been in Zormat, Afghanistan. Have you ever lived or visited Zormat?
- A. Yes, until I was fourteen or fifteen years old. Then I went to Pakistan for nine years and came back to Zormat. They arrested me in Zormat.
- Q. You mentioned earlier that you had enemies. And these were family disputes for many years. You named at least one member of that family that is now in a high position in the current government. What is his name again?
- A. Nur Mohammed. He may not have direct contact with American forces but he gives the money to other people and they...(inaudible.)

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

Detainee: There are a lot of things to talk about...(inaudible)...I was not arrested in a war zone or a battlefield, they did not get any weapon from me, they don't have any evidence on me, they just came to my home and arrested me. I didn't do anything wrong or break any law.

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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.

Tribunal President

_____, USAF

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