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Summarized Sworn Detainee Statement

Upon completion of the swearing in of Tribunal Members and Personal Representative, the Tribunal President addressed the Detainee.

Tribunal President: For the record, I understand you comprehend and wish for this Tribunal to be conducted in English. If you have any questions about any statement made in English, please don't hesitate to ask your translator.

Detainee: Thank you, sir. Is it possible to loosen my handcuffs?

Tribunal President: It is standard practice in this situation [to wear handcuffs]. You may be assisted in reading any documents by your Personal Representative, but this is standard practice for all Tribunals.

Detainee: Thank you, sir.

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

The Recorder submitted Exhibits R-1 (Unclassified Summary of Evidence), and Exhibits R-2 through R-5 to the Tribunal. Copies had previously been provided to the Personal Representative.

The Recorder read in full the Unclassified Summary of Evidence to the Tribunal.

The Tribunal President paused the proceedings briefly to permit Tribunal Members to review Exhibits R-2 through R-5.

The Tribunal President addressed the Detainee Election Form (Exhibit D-A). The Tribunal President also addressed a comment made by the Detainee on the Detainee Election Form at this time:

Tribunal President: Reviewing the Detainee Election Form provided earlier, I note the Detainee requested certain documents; specifically, letters he wrote to President Bush in 2000, and a letter he wrote the American ambassador in Pakistan in 2003. Is that correct?

Detainee: Yes, sir.

Tribunal President: It was unclear as to the relevance, and at that time, I considered them irrelevant without further explanation. Do you have any further information concerning the relevance of these letters to your classification as an enemy combatant?

Detainee: Sir, I have been detained here since July 2003. I was picked up while trying to attend a business meeting in Bangkok. From there I was taken to Afghanistan and detained 15 months.

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Tribunal President: Excuse me; we are going to have more opportunity in this Tribunal for your statement. Does this pertain to the letters?

Detainee: Yes, sir. I have been interrogated extensively in Afghanistan before a high official; the high official met me in Afghanistan on 15-17 September, and he told me he had seen the letter I wrote to President Bush. If I am allowed to tell a joke, this would only take two seconds: There were three professionals, and [they ask] which one is the oldest? one doctor, one engineer, and one politician. The doctor said he was the oldest [professional], because he founded the birth of Adam and Eve onto Earth; the engineer said he was the first profession, because he found chaos and confusion on Earth and rebuilt it. The politician said he was the oldest profession, because he was the one that started all the chaos and confusion in the first place. When I mentioned the letter to this high official, he said he had seen it, and there was no attention given to it. I said that people's lives would not have to have been lost if they paid attention, and he said and agreed that 9/11 would not have had to happen. I said, "why did no one pay attention to this letter?" He said the politicians created this chaos and confusion. The high official also conducted a polygraph test on me in Afghanistan, and he cleared me that I told the truth.

Tribunal President: Did this high official identify himself?

Detainee: No, sir. No one so far has identified themselves in my interrogation period. I have probably been interrogated by the MI, FBI, and anti-terrorism [personnel].

Tribunal President: What I'd like to do is take your request under advisement for these documents, so we can receive all the information we have later in this hearing regarding the statement you wish to make. Also it would be valuable for the panel to evaluate all the classified information. As the Tribunal President, I can reconvene to address your initial request if it becomes necessary.

Detainee: I know the ambassador of Pakistan; I lived there in Pakistan since '86, and I wrote to her when my son was detained in New York. I wrote to her a detailed letter asking to discuss my family's involvement in these affairs; I have called many times to the embassy to clarify myself. They haven't done anything from there. I was told by an FBI agent that I was prevented from pursuing this until I talked to them [her]. Sir, I was never hiding, and offered my availability. It was very ugly and very unprofessional how I was picked up.

Tribunal President: I understand; there will be a better place in the hearing to address those kinds of statements. I like to get back to the letter you sent to the U.S. ambassador to Pakistan; what did you feel like that would provide us?

Detainee: I offered myself voluntarily to be present for anybody, anywhere and anytime.

Tribunal President: Again, I believe my previous ruling regarding relevancy still stands; we'll review that consideration again after seeing all the information, and if we find it necessary to obtain those documents, we'll do it at that time.

Detainee: Thank you, sir.

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Tribunal President: You may now present any evidence you have to the Tribunal, and you have the assistance of your Personal Representative in doing so. I understand you wish to make a statement to the Tribunal?

Detainee: I have written some, and I'd like to go through that [Unclassified Summary of Evidence] also.

The Tribunal President confirmed the Detainee wished to take the Muslim oath; the Detainee was then administered the oath by the Recorder. Upon completion of the oath, the Tribunal President informed the Detainee that he could make a statement, but encouraged him to first address the Unclassified Summary with the assistance of his Personal Representative.

3.a. The Detainee supported the Taliban and al Qaida against the United States and its coalition partners.

Detainee: I have never been supportive of the Taliban or al Qaida or its partners.

3.a-1. The Detainee was involved in an al Qaida plan to smuggle explosives into the United States.

Detainee: I have never been involved in an al Qaida plan to smuggle explosives into the United States.

3.a-2. The Detainee "held for safekeeping" large amounts of al Qaida money given to him by known al Qaida operatives.

Detainee: I have already given the FBI details of my businesses in Pakistan, and they have not found anything. I never held money for safekeeping for any al Qaida operative.

3.a-3. The Detainee, at the request of an al Qaida operative, researched offshore companies for investment possibilities.

Detainee: I never gave any research for any company for investment possibilities.

3.a-4. The Detainee associated with known high-level al Qaida operatives.

Detainee: I have never associated with any high-level al Qaida operatives.

3.a-5. The Detainee recommended to an al Qaida operative that nuclear weapons should be used against U.S. troops and suggested where these weapons might be obtained.

Detainee: I never recommended this to al Qaida, or where the nuclear weapons would be available; I don't know, sir, where these are available.

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3.a-6. The Detainees assisted al Qaida in locating houses for al Qaida members and their families to rent.

Detainee: I have never assisted an al Qaida member or family to find a place to rent; however, I did assist some people who said they were Pakistani. I showed one Pakistani the area I lived. And I showed another Pakistani how to find a place from the classifieds in the newspaper.

3.a-7. The Detainees offered to al Qaida his media facilities for Urdu translation of extremist materials, including statements from Usama Bin Laden.

Detainee: I never offered al Qaida media facilities or translation; I do have a news agency I own. The work is to provide news to newspapers and magazines, and it is called Universal News Private Limited; I gave this information to my interrogators.

3.a-8. Al Qaida invested money in a company owned by the Detainees.

Detainee: Al Qaida never invested money in the company owned by myself.

3.a-9. The Detainees had a discussion with a high level al Qaida facilitator about getting chemicals and explosives into a coalition partner's national boundaries.

Detainee: I have never discussed this with any al Qaida facilitator.

3.a-10. The Detainees met with Usama Bin Laden.

Detainee: I did meet with Usama Bin Laden in 1999 and 2000, two times.

3.a-11. The Detainees met with two high level al Qaida officials and knew they were "wanted men."

Detainee: I never met two high-level al Qaida officials that were wanted men, sir.

Thermal President: Any other statements you'd like to make?

Detainee: Yes, sir. The nation of Pakistan is over 140 million people; we are the most victimized of the Cold War between Russia and the U.S. During the late 70's, Russia invaded Afghanistan and Pakistan defended at that time along with France. President Carter did not pay much attention to that. When President Reagan was elected in 1980, Vice President Bush, a former CIA director, realized the importance of this invasion and the defense of Muslims. So, the U.S. propagated jihad, called freedom fighting; freedom fighters, young rebellious radical Muslims were brought in to fight the Russians. It took almost 10 years to win that war. Finally, Russia left. Those freedom fighters were left there, and are still there in thousands. Pakistan and Afghanistan share an unregulated, uncontrolled border. Many fled to Pakistan as refugees, and they are still there and have been there for 20 years. They have no family, parents, or brothers and sisters. They have not been accepted back to their home countries; terrorism has been harbored in Pakistan because of that situation. Pakistan has become a center of terrorism. They

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have become Pakistanis; they act like Pakistanis, eat the same food, look like Pakistanis, so no one can tell them apart. Anybody raised in Pakistan could come from anywhere, and nobody knows who's who. When Hali Shir Abbar was arrested, that was the first time they had anything to do with Usama Bin Laden; I knew they were handpicking the media area, and that is why I met with him. When I met Usama, he delivered the Koran, and said he was a prophet. He said very nice things, very impressive. I asked him to speak about the terrorism program for an English program. We intended to make an unclassified program for my television station, and I claim that if people watched my station, that they will know the difference between Christianity and Islam. During the course of the Cold War, Pakistan and Afghanistan have suffered the most. Afghanistan is poor people; and Pakistan is on the verge of bankruptcy. The only country with power is the United States. I swore to send up letters to President Bush about the situation there, but nobody paid attention. What I feel, sir, is the Lord Almighty plans slowly for the nations. Pakistan, U.S. and Russia, God forbid if they ever have direct conflict. They both have enough weapons of mass destruction to destroy the world 50 times. So the Lord planned for the Cold War to be ended with the least casualties. Yesterday, some were your soldiers, and today, they are being labeled as your enemy. Please, according to the Bible and Koran, if wisdom were applied, the situation would be different. I am a student of the Koran and of history. I have offered my services to interrogators. I can help to control terrorism and I need no reward for that. By the law of the Lord Almighty, I have written many papers on Afghanistan and terrorism and given them to the interrogators and they were pleased to receive them. They discussed with me for hours and days about how to control terrorism. I am just giving you a brief background. This could be handled more effectively; we could stop terrorism, and terrorism would die itself. That's all, sir.

Tribunal President: Thank you. I understand that concludes your statement.

The Personal Representative then submitted Exhibit D-B, a hand-written 7-page document from the Detainees to the Tribunal. The Tribunal then paused briefly to review the document.

Tribunal Member Questions to Detainees

Q: In your written statement, you did show some Pakistanis a residential area; do you know who that was was?

A: He identified himself as Mir, and I have a copy of his identification card in my office in Pakistan.

Q: Do you often show your area? Are you a real estate agent?

A: He wanted me to show him the area I live, so I took him around. He said he doesn't live Karachi, but from far away from other cities in the interior of Pakistan.

Q: How did you come to meet him to begin with?

A: Sir, I mentioned I met Usama Bin Laden; I discussed making a program on the Koran, to be showed on various channels. I produce programs, and we have a studio in Pakistan. We have the most modern equipment in Pakistan. I lived in New York, and I had my program there for the Pakistani community. I went to Pakistan in 1986. I lived in New York from '71-'86; I studied in New York at the Institute of Technology. I knew the people there, and I

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had a house there. I knew the Christian community, as I should know the Koran as a Pakistani Muslim. I studied the Koran in Pakistan. So with some senior producers, we had a plan to make a program for introduction in North America and Europe. We wanted programs for the entire area, for what the Koran says about Jesus and about Christianity. There are many similarities between the Koran and the Bible, and we wanted to produce those types of programs; ones that describe what the Koran says about Abraham, Mary, Moses and Jesus.

Q: Did the person you showed the area to get involved with that production?

A: Went I met Usama after six months, I had already given him my card of my seven various businesses, and that is how he...

Q: So he [Mir] got your name and address through a card you gave Usama?

A: Yes, and he had a lot of knowledge of media, cameras, production and editing, so that is how I came in contact with him.

Q: One of the questions was that you invested money for al Qaida; my question is do you do charity work too? Do you take large investments or donations from people for your productions?

A: Sir, my organization is a conservative organization formed many years ago; we don't receive or give any money. Being or having lived in the West, I know the system to organize things; I wanted to organize education, health and justice, to work them more effectively. I wanted to tell people how to put these on track and be more effective. In order to tell people these things are workable, and we were about 30 people; each of them are businessmen and have their own resources. We don't ask people to contribute to this charity work; we ask them for their experience in charity work. We have the soundest schools in poor areas, and we help give them a good secular education. Pakistan and Afghanistan are known for Islamic schools called Madrasas. We are emphasizing secular education, because you need a formal education to get a livelihood. You need this education. I also helped the largest hospital in Karachi, 300 beds, that was in bad shape. They had no good working toilets and I helped with my own personal sources.

Q: So everything was funded through business associates? It's not like someone came off the street and donated money; your business associates had money and you [also] contributed yourself?

A: Exactly, sir. I would say that one time, Mir, had met on and off on media, and he requested to open an account at a bank I do banking. He opened an account and put maybe \$15,000 to \$20,000 in there. So I said it would be wise to make an investment with that, and get some return on it. One of the programs or shows that is popular in Pakistan TV, he was negotiating to make me a part of. I have had experience in the States, and I needed seeding money, and he invested \$500,000 in that business. It did not go through [with] the proposal, so I returned the money; I kept it for six months.

Q: So did you provide translation [services] for Usama Bin Laden?

A: No sir, no translation. There was a news item brought to us by news agencies needing translation for newspapers and magazines. That's what I did, sir.

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Q: Who paid for this team to be translated?

A: That was given by Mustafa Bahr, which is Ahmad (unavailable) today.

Q: When did you meet with Usama?

A: First in 1999, and then 2000.

Q: The list of allegations, you addressed. But some of your responses were addressed in a cursory fashion, some specifically. For example, you stated you were never involved with any al Qaida plan to bring explosives to the U.S.?

A: Yes.

Q: Did you know of any plan to bring explosives to the U.S.?

A: No.

Q: So it didn't matter if it was al Qaida or anybody else?

A: No, sir. The allegation was specific, so I gave a specific answer, and in general, I don't know.

Q: For example on these other allegations; on # 3 you stated you never researched any offshore companies for investments at the request of an al Qaida operative?

A: No, sir. I have a friend, a white American Jew in New York, who has been my partner for 10 years. There was a problem in Pakistan of taxation; my funds were susceptible to a 5% tax, whether or not you made or lost money. We discussed an offshore account for our commissions. I told the area manager that since I got Newtweek, and I saw an advertisement about offshore banking, and I asked for more information. It happened to be that I gave a copy of this advertisement to Mr.

Q: Regarding # 5, did you ever recommend to al Qaida to use nuclear weapons against U.S. troops?

A: Never, sir.

Q: Did you ever recommend this to anyone?

A: No, sir. I told interrogator about this. Is a nuclear weapon something I could buy off the shelf? Can you buy it from Tony Blair? Is that something to say to anybody?

Q: Your background is computers and production....

A: I was born in Pakistan; when I was two my father died, and when I was ten, my mother died. We were living in a very small village with no facilities; I went to school in Pakistan, but primarily in Afghanistan. I went to Karachi for high school. I studied physics in Karachi in college and graduated with honors. I then got admission at the New York Institute of Technology in New York City and was funded by one organization in Pakistan, a youth organization. I studied as a computer systems analyst. I worked in the U.S. for a few years, and pursued business opportunities there. I had offices in Washington, Chicago, San Francisco and New York. Most were travel agencies.

Q: Do you have any business that deals with weapons?

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A: No, sir. Never. I have never seen any weapons, even now.

Q: No company you owned dealt with chemicals?

A: No, sir. I believe in the Koran — that killing one innocent person, is equal to killing all humanity. I believe on that, and practice that.

Q: I'd like to clarify that when you showed the neighborhood to the Pakistani visitor, I understand you were living in Pakistan at the time?

A: Yes, sir.

Q: And that year was 2000?

A: I don't remember if it was 2000 or 2001.

Q: Was it before 9/11?

A: I think so, sir.

Q: Another panel member was talking about your business interests; a number of your businesses had financial problems, and I'd like for you to describe each one of them for me briefly since there are so many. The first is Marason (ph) Business of Karachi?

A: That is a publicly traded company, and I own 96% of the shares. They manufacture bags, sugar, cement, fertilizer; that industry is in Bahrain city that I established more than 10 years ago. The governor of Pakistan offered a good incentive to put the business there, about one million dollars came from the European Union and the U.S. to establish it there to stop the poppy industry there. The government put the money somewhere else, but I invested a million dollars in that myself. It was in a remote area, and was not profitable.

Q: Has it been closed; is it a failed business?

A: Yes, but I wrote the American embassy that this could provide employment there to reduce the poppy business; it can never be eliminated, but it could be controlled. I have been trying to do this and I know a lot of government officials.

Q: There are a lot of social and economic possibilities. However, I'd like to explore from the list I have here. Tell me about International Merchandise.

A: International Merchandise is a business where I am an equal partner with my friend in New York. We facilitate for Wal-Mart, K Mart; companies like that. We do not do shipping. We are a buying agent for garments and other merchandise from Pakistan. The shipment is from the factory straight to New York.

Q: There is an international shipping component to that business?

A: No, we are a buying agent only. We get a commission in the States, in which I get half from my partner.

Q: We already heard about Universal Broadcasting, and I appreciate hearing about that. The last business is listed here as S & S Associates out of Karachi. It says here it is a construction venture; could you tell us a little bit more about that?

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A: This a group of people in Pakistan that had a large 300 room apartment building, but it turned into a slum. The residents weren't interested in buying it. The mayor of Karachi is a very close friend. One day he visited me and we went to that area. I negotiated with the people to get 80% of the shares, and I helped with the financing, because financing was a problem for them. I reached a silent agreement with them, and they would get occupants, recover the money and reinvest it. It took a while, but they offered me 70 apartments with a million dollar investment on my part and recovery for the investment. They had 70 apartments. One investor made 240 Euros on that, and I helped him reinvest it. Because my son had been to the U.S., we advertised it heavily in the Pakistani community in the U.S., and we had a good response, and there were about 45 potential buyers negotiating for them in New York.

Q: Is that a complete summary of your business activities that we just listed as of your detention here?

A: That's all, sir.

Q: Universal Broadcast Limited and the news offered translating services. Are there broadcasts in Pakistani text broadcasts or are broadcasts in English? Are there translations or dual language involvements?

A: No, sir. Our national language is Urdu, and our official language is English. In our country, the educated people know English, but the language is Urdu.

Q: Did those two companies have any dual language or translation purposes?

A: No, sir. Never.

Q: Do you not consider Usama Bin Laden to be al Qaeda?

A: I never saw any definition of al Qaeda. The first time I heard this was from President Bush who said al Qaeda. I went to Afghanistan not to meet Usama, but people took me to help Afghan people with education. I was the one who convinced the Taliban government to have a school; I said we would put up the money and give you credit for that. Someone else scheduled to meet Usama took me along with him. I don't have any contact; I was made to meet him, and that's it.

Q: What were the circumstances of the second meeting [with Usama Bin Laden]?

A: I was a member of one organization of Tashm Islami. The chief of this organization was officially scheduled to meet [Usama Bin Laden] by the ambassador of Pakistan and the ambassador of Afghanistan. We were about 18-20 people in that delegation. We were with them, but I never talked to him personally.

Q: You made a statement; and you asked some questions about what law applies; you asked about what law applies, and whether U.S. law binds us.

The Tribunal President then made a statement to the Detainees regarding questions he had posed to the Tribunal.

Tribunal President: Let me clarify that; you do understand this is an administrative hearing, and this is not a legal proceeding. I do know you had some questions about the legality of your

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detention. That would be referred to other organizations of the government, but you will be receiving more specific instructions shortly of how to bring your question to U.S. courts.

Detainee: Your honor, I have been here over 17 months; would that be before I expire?

Tribunal President: I would certainly hope so, especially since you are under the care of the U.S. government while you are here. As far as some of the other statements you made about jurisdiction, this is a U.S. government executive decision in regards to the detention of enemy combatants; this is an administrative hearing being conducted to review, on an independent basis, the government's information and statements you provide us, to consider or reconsider whether you are an enemy combatant. I believe you've previously been read our definition of an enemy combatant.

Detainee: Your honor, my question is that is your Executive Order applicable around the earth?

Tribunal President: It is a global war on terrorism.

Detainee: I know sir, but you are not the master of the earth, sir.

Tribunal President: No, but we are in coalition with allied partners to fight this new war; enemy combatant status is a definition provided, and we are charged with reviewing your particular case to see if it meets that definition. Regarding national legal issues, that is a matter for U.S. courts, and you will be provided that information shortly to bring your case to them.

Detainee: Thank you, sir.

The Tribunal Members then resumed Questions of the Detainee

Q: The reason why this has global ramifications, is that you could be in Thailand, for example, holding \$20 million for the purchase of weapons, and this could be more damaging than if you were just one person holding a rifle. The one area I wanted to ask you about a little bit more, is about the \$500 K you were holding for Mir; you said you had a business plan but it didn't work; do you have proof of this business plan?

A: I gave all the details to the interrogators. I have given the details, of the plan and the bank. I haven't been given the ability to give evidence of any sort, because I am here in isolation.

Q: As far as the television rights, did you have a programming plan?

A: Sir, there is a gentleman named Jabbar who has the rights, and he wanted to sell me the rights, but the plan fell through, so I could not be a partner.

Tribunal Member: I'm going to ask the Tribunal President to explain what we've seen, because we don't see what the interrogators have seen.

Tribunal President: We may receive other classified information later, which is not made available to you. It may include notes from previous interrogations. If you feel there is something important from those interrogations for us to look in to, we may obtain that

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information. That's part of the reason we provided you the opportunity to present statements and request evidence. If you direct us to find something such as details of a business, we can seek out the information. We don't have the jurisdiction to obtain public information, such as your private papers, unless it was gathered by other sources or in government custody, then I might be able to receive it. For example, you provided letters to senior government officials in the past. Those documents, if received, would be in government custody and I could obtain them if necessary.

Detainee: The FBI agent here. She has it. You could have it in a couple minutes.

Tribunal President: I may see it later, and I reserve the opportunity to review my ruling at a later time, if I find it is necessary to determine your case regarding your classification.

The Tribunal Member then resumed asking questions of the Detainee.

Q: If I could just pursue one line I was going to ask [earlier]. Is \$500,000 a lot for a TV show?

A: No, sir. The bank was willing to give me a credit line of \$3 million, and I gave the name of the bank to the interrogators. It was a prime bank in Karachi, Pakistan, but I was primarily dealing with Jabbar, and he has an office in New Jersey.

Q: Why was your son detained?

A: Yes, sir. When I was in Pakistan, a man known as Ahmar met me in the area of Karachi I live. He introduced us both, my son and I, to a man that used to live in Baltimore named Majid Khan. We were sitting and eating at a table, and he mentioned he had an immigration problem, and he wanted to keep his bank account active. My son was working on the website for the apartments in the U.S., and he asked my son to help, and I said of course he can help while he was there [in the U.S.]. Those documents were recovered by my son, and they say he is a terrorist, I don't know.

Q: Majid Khan said he had an immigration problem and he wanted to keep his bank account active in the U.S.?

A: Yes, sir. He wanted to keep his bank account active because he couldn't get back to the U.S. because of an immigration problem. There's a procedure, and once your visa number is approved, it goes to Islamabad. There is a procedure.

Q: What do you know about Ahmar and Majid Khan? How would you know them, and why would you provide this business or financial support?

A: I met them through Mir, Ahmar was his associate, but he introduced himself as being from another province of Pakistan. I have his identification also; they all dress and act like Pakistanis, so he introduced himself as a Pakistani.

Q: Do you have a full definition of al Qaida? What it is?

A: I don't sir.

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Q: Would you be surprised to hear Usama Bin Laden founded al Qaida, and al Qaida includes people from all over the world? People from America, Afghanistan, Pakistan, Philippines, and people from wherever?

A: Sir, how could anybody know who al Qaida is?

Tribunal President Response: Good question. That's a very good question.

The Tribunal President then confirmed the Detainee had no additional information for the Tribunal, and thanked the Detainee for his testimony and participation. The Tribunal President then explained the remainder of the Tribunal process, 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.

[REDACTED]

Colonel, USAF

Tribunal President

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THE PRESIDENT

COMBATANT STATUS REVIEW BOARD

GUANTANAMO BAY NAVAL BASE, CUBA

REFERENCE: OIC, CSRT (12 NOVEMBER 2004)

SUBJECT: COMBATANT STATUS REVIEW

MY HUMBLE SUBMISSIONS ARE:

I, SAIFULLAH A. PARACHA, PAKISTANI NATIONAL,
LIVING IN KARACHI - PAKISTAN, BORN IN
SARGODHA PAKISTAN - DOB AUG 17, 1947.

WENT TO SCHOOL IN SARGODHA UPTO 8TH GRADE;
DID HIGH SCHOOL IN KARACHI, TWO YEARS
COLLEGE IN KARACHI - (B.S) HONS - KARACHI
UNIVERSITY, KARACHI PAKISTAN. 1969.

(B.S) COMPUTER SCIENCE (SYSTEM DESIGN & ANALYSIS)
NEW YORK INSTITUTE OF TECHNOLOGY, NY 1973

I REACHED BANGKOK INTERNATIONAL AIRPORT
ON JULY 06, 2003 AND AT THE AIRPORT
I WAS ILLEGALLY, IMMORALLY ARRESTED
BACK HAND/LEG CUFFED, BLACK BIG MASK
ON MY HEAD UPTO NECK, WAS THROWN ON
FLOOR OF STATION WAGON FACING DOWN.

I AM HEART PATIENT | DIABETIC | HIGH BLOOD PRESSURE
SKIN DISORDER, GOUT IT COULD HAVE ^{BEEN} FATAL,

THERE WAS NO HUMAN CONSIDERATION AT
ALL. FROM AIRPORT I WAS TAKEN TO UNKNOWN
PLACE FOR FEW DAYS AND KEPT EYES COVERED

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EARS COVER, HAND CUFFED, LEG CUFFED,
AFTER FEW DAY I WAS TRANSPORTED BY
PLANE TO AFGHANISTAN, UNDER EXTREMELY
SEVERE BAD CONDITIONS I WAS KEPT IN
ISOLATION FROM JULY 2003 - SEPT 20, 2004,
AND SINCE SEPT 20, 2004 - I AM IN ISOLATED
CELL IN GUANANAND BAY ISLAND.

ON DEC 02, 2004, PERSONAL REPRESENTATIVE READ
ALLEGATION AGAINST ME, THERE IS NO INDICATION
UNDER WHICH LAW I WAS ARRESTED & BEING
DETAINED FOR LAST 17 MONTHS. NONE OF THESE
CHARGES ARE ~~NOT~~ APPLICABLE ON ME, I AM
NOT YOUR SLAVE, NEITHER YOU ARE MY FINANCIAL
GUARDIAN NOR PAKISTAN COMES UNDER YOUR
STATE. NOR I WAS IN THE BATTLE
FIELD CARRYING ANY KIND OF WEAPONS.
SO FAR INTERROGATORS OR USA GOVERNMENT
HAVE ^{NOT} BEEN ABLE TO ESTABLISH RELATION BETWEEN
ME AND USA, I.E. AM I BEING CONSIDERED
HUMAN BEING OR ANIMAL, OR IS USA MY
GOD? AND I AM SUPPOSE TO WORSHIP
OBEY USA, IS USA CONSTITUTION APPLICABLE
ON ME? WHY PAKISTAN'S COURT CAN NOT
DECIDE MY SIN? WHY INTERNATIONAL
COURT CAN HAVE HEARING? OR USA COURTS!

SINCE USA IS ACTING LIKE MY MASTER, THEN
MY MASTER IS GOD AL-MIGHTY, IN THIS
MY ANIMAL LIFE YOU HAVE NOT ^{LEFT} ANY CHOICE
FOR ME BUT TO RESPONSE, MY REPLY.

WITH REFERENCE TO YOUR ILLEGAL CHARGES
ARE AS FOLLOWS:

- I HEREBY STATE SOLEMNLY, AFFIRMLY THAT I HAVE NEVER SUPPORTED TALBAN / AL-QAIDA DIRECTLY INDIRECTLY AGAINST USA AND ITS COALITION PARTNERS.
- WITH REFERENCE TO YOUR ALLEGATION 1, I HAVE NEVER BEEN INVOLVED IN AN AL-QAIDA PLAN TO SMUGGLE EXPLOSIVE TO USA.
- WITH REFERENCE TO YOUR ALLEGATION 2, I HAVE NEVER "HELD FOR SAFEEKEEPING" LARGE AMOUNTS OF AL-QAIDA MONEY GIVEN TO ME BY ANY KNOWN AL-QAIDA OPERATIVES.
- WITH REFERENCE TO YOUR ALLEGATION 3, I NEVER MADE ANY RESEARCH OFFSHORE COMPANIES FOR INVESTMENT POSSIBILITIES.
- WITH REFERENCE TO YOUR ALLEGATION 4, I HAVE ~~BEEN~~ NEVER BEEN ASSOCIATED WITH KNOWN HIGHLY AL-QAIDA OPERATIVES.
- WITH REFERENCE TO YOUR ALLEGATION 5, I NEVER RECOMMENDED TO AN AL-QAIDA OPERATIVE THAT NUCLEAR WEAPONS SHOULD BE USED AGAINST US TROOPS AND I HAVE NO KNOWLEDGE WHERE WEAPONS COULD BE OBTAINED.

— WITH REFERENCE TO YOUR ALLEGATION 6, I NEVER ASSISTED AL-QAIDA IN LOCATING HOUSE FOR AL-QAIDA MEMBERS AND THEIR FAMILIES TO REST, HOWEVER I DID SHOW MY RESIDENTIAL ^{AREA} TO MY FELLOW PAKISTAN, OTHER FELLOW PAKISTANI NEWSPAPER LISTING FOR RENTING A HOUSE.

— WITH REFERENCE TO YOUR ALLEGATION 7, I NEVER OFFERED TO AL-QAIDA MY MEDIA FACILITIES FOR URDU TRANSLATION OF EXTREMIST MATERIAL, OR ANY STATEMENT FROM USAMA BIN LADIN, HOWEVER OUR NEWS AGENCY UNIVERSAL NEWS (PVT) ^{LD} DOES PROVIDE SERVICE ALL KIND NEWS / STATEMENT IT IS PART OF BUSINESS TO COLLECT NEWS _{DISTRIBUTE}

— WITH REFERENCE TO YOUR ALLEGATION 8, I HAVE NEVER ACCEPTED FROM AL-QAIDA ANY MONEY FOR INVESTMENT, HOWEVER SOME PAKISTANIS FROM TIME TO TIME INVEST IN MY BUSINESSES.

— WITH REFERENCE TO YOUR ALLEGATION 9, I NEVER HAD DISCUSSION WITH A HIGH LEVEL AL-QAIDA FACILITATOR ABOUT GETTING CHEMICALS AND EXPLOSIVES INTO A COALITION PARTNER'S NATIONAL BOUNDARIES.

— WITH REFERENCE TO YOUR ALLEGATION 10, I HAD TWO MEETINGS WITH ~~USAMA~~ USAMA BIN LADIN

— WITH REFERENCE TO YOUR ALLEGATION 11, I NEVER MET TWO HIGH LEVEL AL-QAIDA OFFICIAL AND HAVE NO KNOWLEDGE OF "WANTED MEN". page 4 of 7

I WOULD LIKE TO BRING SOME FACTS TO KIND NOTICE.

MOST DANGEROUS COLD WAR ENDED, USSR WAS DEFEATED BY AFGHANS, PAKISTANIS & RADICAL REBBELIOUS MUSLIM CAME AROUND THE WORLD - IN RETURN USA BECAME SOLE SUPER POWER, USSR LOST ABOUT 17,000, + 30,000 DISABLE, AFGHANISTAN LOST 1,500,000 LIVES, ABOUT 1,000,000 DISABLE & COUNTRY IS TOTALLY RUINED. PAKISTAN LOST LARGE NUMBER IN MANPOWER & LOST FINANCIAL BASE. PAKISTAN ALSO BECAME CENTER OF TERRORISM BECAUSE ABOUT 1,500,000 REFUCES MIGERATED TO PAKISTAN FROM OPEN UNCONTROLLED 100'S OF MILES BORDER BETWEEN PAKISTAN & AFGHANISTAN. THE REFUCES ARE AFGHANS AND RADICAL REBBELIOUS MUSLIM AROUND THE WORLD, THESE MUSLIM WERE NOT ACCEPTABLE TO THEIR NATIVE COUNTRIES BECAUSE THEY RADICAL & REBBELIOUS.

THESE MUSLIMS ARE VERY FRUSTRATED, EMOSIONALLY STARVED HAVE NO FAMILY BASE (NO FATHER. MOTHER ETC) WORLD IS NOT PAYING ANY ATTENTION TO THIS MAJOR HARBOURING TERRORIST ROOT CAUSE, I AS CITIZEN OF UNIVERSAL GOVERNMENT PAID VISITS TO AFGHANISTAN 1999-2000 (3 VISIT) WROTE TO PRESIDENT GEORGE W. BUSH (JR), GEORGE W. BUSH (SR) ALL CABINET MEMBER, ALL CONGRESSMAN & SENATOR HIGH LIGHTED THE PROBLEM & PROPOSED THE SOLUTION, ONE ~~OF~~ OF THE VERY SERIOR OFFICIAL HAS LONG MEETINGS ON SEPT 17, 18, 19, 2004 WHO READ THAT LETTER AND SAID IF OUR POLITIAL HAS

LITTLE ATTENTION TO MY LETTER 9/11
TERRORIST ATTACK COULD HAVE AVOIDED WHERE
USA LOST 3000 LIVE AND APPROXIMATE SEVEN
E HALF TRILLIONS DOLLARS. THIS ^{LETTER} I HAVE PERSONAL
REPRESENTATIVE TO COLLECT FROM FBI AGENT IN
GUANTANAMO BAY BASE. DURING MY INTERROGATION
I HAVE OFFERED MY SERVICES TO FIGHT TERRORISM
WITHOUT ANY REWARD BECAUSE MY REWARD IS
FROM MY LORD ALMIGHTY, BUT NO BODY PAYING
ANY ATTENTION, IN AFGHANISTAN I WROTE MANY
SOLUTION FOR INTERROGATORS THEY AGREED WITH MY
PROPOSAL I HOPE FOR IMPLEMENTATION.

MY SON UZAIR S. PARACHA HAS ALSO DETAINED IN
NEW YORK, I WROTE TO U.S. AMBASSADOR, MISS
NANCY POWEL FOR AN INTERVIEW TO CLEAR MY
AND MY FAMILY POSITION, MADE SEVERAL PHONE
CALLS BUT NO GIVEN TIME - THAT LETTER
IS ALSO WITH FBI AGENT HERE - IT SHOULD
BE EXAMINED. THERE WAS NO REASON FOR TO HIDE
I OFFER MY SELF AVAILABILITY YET ~~NO~~ AUTHORITY
USED MOST UGLY, IMMORAL UN-LAWFUL METHOD
TO ARREST ME.

PAKISTAN AND AFGHANISTAN ARE VERY POOR COUNTRIES,
NEEDS EDUCATION, HEALTH CARE & JUSTICE TO COMMON
MAN, I HAVE AN ORGANISATION COUNCIL OF WELFARE
ORGANISATION (CWO) WE DO HELP WITH OUR LIMITED
RESOURCES, I ALSO WROTE TO DIRECTOR USAID
MY ASSISTANCE FREE OF COST BECAUSE USA GRANTED 100ML
DOLLAR FOR RURAL EDUCATION - AGENT HAS THAT LETTER.

ON THE SUBJECT OF COLD WAR BETWEEN TWO SUPER
POWER I LIKE TO BRING AN OTHER IMPORTANT
IMPACT WHICH NEEDS TO BE RECORDED

GOD ALMIGHTY PLAN WORKS SILENTLY BUT SURELY
AMONG ALL NATIONALS AND AT ALL TIME IN THE
MOST FANTASTIC FORMS OF PEACE LEAST DAMAGES,
FOR EXAMPLE IF TWO SUPER POWER FOR GOD BID
HAD DIRECT FIGHT - BUT NATIONS HAVE WMD
THAT THE WHOLE WORLD COULD BE DESTROYED
MORE THEN 50 TIMES. YET IT WORKED WITH
LEAST CASUALTIES. NOW COLD IS OVER. BUT SIR
YOUR SOLDIERS THEY FOUGHT FOR THIS COLD
WAR NEEDS BETTER SETTLEMENT IN THEIR
LIFE, PLS USE WISDOM IN ORDER CONTROL
TERRORISM OTHER UN-INTENTIONALLY IT IS
SPREAD.

"PRAYER"

MY PRAYER TO YOU IS SIR, UNDER
THESE CIRCUMSTANCES I MYSELF MY FAMILY
MY PARTNER CHARLES ANTERBY HAVE GONE
THROUGH IRREPAIRABLE LOSS, IN ORDER TO
SAVE FURTHER LOSSES I REQUEST YOU KINDLY
TO ORDER THE AUTHORITY FOR MY IMMEDIATE
RELEASE & TO RELEASE A PRESS RELEASE
MY RESPECTFULL RELEASE.

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Summarized Detainee Statement

Tribunal President: Do you have any questions concerning the Tribunal process?

Detainee: Yes.

Tribunal President: You have questions?

Detainee: I am going to speak Arabic because my English is not too good, you know?
Does this Tribunal follow the laws of the United States?

Tribunal President: Yes.

Detainee: Based on this, I don't understand or I don't know who makes the laws, and because of this I will require a lawyer. I have nothing to say here.

Tribunal President: This is not a criminal court.

Detainee: That's what I have to do.

Tribunal President: Okay, this is not criminal court, Jaralla, so it is not necessary for you to have a lawyer.

Detainee: No comment.

Tribunal President: Personal Representative, was it your understanding that Jaralla was going to participate in this hearing?

Personal Representative: Yes, it was, ma'am.

Tribunal President: Personal Representative was the Tribunal process explained to Jaralla?

Personal Representative: Yes, it was, ma'am.

Tribunal President: With that understanding Jaralla, of course you are not compelled to testify and you are not required to participate if you do not wish to do so; however, this is your opportunity to tell this Tribunal your story, and we are here now and we are willing to listen to your side of the story. So what is your decision?

Detainee: No comment.

Tribunal President: Does that mean you do not want to participate?

Detainee: No comment.

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Tribunal President: I need to know if you would like to participate because we can go on with you here or we can take you back to your cell.

Detainee: No comment.

Tribunal President: Would you like to stay here while we go through the process?

Detainee: No comment.

Tribunal President: Okay, Jaralla, the Tribunal has decided to allow you to stay here while we go through the process. You are certainly encouraged to participate or to respond, if you like.

Detainee: No comment.

Tribunal President: Jaralla, you may now present any evidence you have to the Tribunal and you have the assistance of your Personal Representative in doing so. Do you want to present information to this Tribunal?

Detainee: No comment.

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

Personal Representative: When we met for our interview, I did take a few sentences and notes. He had agreed that he was going to speak on his own. But I had asked if I could take a few notes as reminders. I did. Is it his wish that I read these notes? These comments?

Detainee: No comment.

Tribunal President: Okay, we will move on as if we did not have access to this. Personal Representative, is it your wish to present those comments?

Personal Representative: I would be asking for some guidance on this. I do have comments when I met with the detainee regarding each of the accusations you gave me. A few sentences worth of information. He said he does not want me to say them, but I am not sure what I should do, because I have them written here. **[Note: As noted in the transcript above, the detainee did not say, "don't present my statements." He only said, "No comment" when the Personal Representative asked him if he wanted statements presented.]**

Tribunal President: It's up to you.

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Personal Representative: I would say regarding his comments, he does not want me to say anything. [Note: Same point as above; the detainee did not tell the Personal Representative not to present the detainee's statements. He only said, "No comment."]

Tribunal President: What are your wishes, Personal Representative?

Personal Representative: I think since he said it to me, I should read them.

Tribunal President: Are these comments related to the Unclassified Summary?

Personal Representative: Yes, ma'am.

3.1. The detainee is a Qatar citizen who traveled to Afghanistan through Pakistan, to participate in the Jihad.

Personal Representative: His response was that he met people in Mecca who brought him to Afghanistan.

3.2. The detainee arrived in Pakistan in the fall of 2001 and later traveled to a guesthouse in Afghanistan.

Personal Representative: He did not know anyone. The house belonged to some people who brought him to Afghanistan. At this time, he did not know who they were.

3.3. Prior to 11 September 2001, the detainee went to the Al Farouq camp, even after learning it was owned by Usama Bin Laden.

Personal Representative: His response was, "yes."

3.4. The detainee fled the Al Farouq camp after 11 September 2001, and was issued an AK-47.

Personal Representative: He said this was wrong. He did not have an AK-47. He fled because after September 11th, the Americans were going to bomb the camp. He said, "I never fought anyone. I did not want to continue because it was wrong."

3.5. The detainee had interaction with the Taliban and they directed him through checkpoints throughout Afghanistan.

Personal Representative: The notes I have here say they did not help him. At that time, the Taliban controlled all of the country and all of the checkpoints.

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3.6. The detainee and others fled Afghanistan, but were arrested at the Pakistan border by the Pakistani police.

Personal Representative: He said, "Yes, but no one was with me. I was alone. From Kandahar to Pakistan, I took a taxi. I paid my money. The Taliban was all defeated, except in Kandahar. I had all my paperwork and passports."

Tribunal President: Thank you Personal Representative.

Personal Representative: May I ask one more question? I will ask him if he would like to elaborate on this. Would you like to elaborate on this?

Detainee: No comment.

Tribunal President: Jaralla, would you answer questions if the Tribunal asks you questions?

Detainee: No comment.

Tribunal President: Is that all the unclassified evidence that needed to be presented, Personal Representative and Recorder?

Recorder: I have no comment on anything that has been stated.

Personal Representative: I have no other unclassified information to present.

Tribunal President: All unclassified evidence having been provided to the Tribunal, this concludes this Tribunal 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

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 thru R-2 into evidence and gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).

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

3.a.1. Originally from Lahaj, Yemen, the detainee traveled to Kandahar, Afghanistan via San'aa, Yemen; Dubai, United Arab Emirates; Karachi, Pakistan; and Quetta, Pakistan.

3.a.2. The detainee was recruited in Al Baraida, Yemen by an al Qaida facilitator.

3.a.3. In late June 2001, while traveling from Yemen to Afghanistan, the detainee stayed in a Taliban guesthouse in Quetta, Pakistan.

3.a.4. The detainee attended basic training at al Farouq training camp from July to September 2001, where he received instruction in the Kalishnikov rifle, Rocket-Propelled Grenades (RPG), hand grenades, land mines, and explosives.

3.a.5. The detainee attended two speeches by Usama Bin Laden while, training at the al Farouq camp.

3.a.6. The detainee, armed with a Kalishnikov rifle, worked for al Qaida as a guard at the Kandahar airport.

3.a.7. The al Qaida members guarding the Kandahar airport armed with Anti-Aircraft guns, SA-7, Rocket Propelled Grenades (RPG), and AK-47s.

3.a.8. The detainee was given \$1,000 US by an al Qaida operative for travel from Afghanistan to his home country of Yemen.

3.a.9. The detainee was captured following a two and a half hour firefight in a Karachi, Pakistan apartment, along with several other members of al Qaida during raids on al Qaida safe houses on 11 September 2002.

3.a.10. Passports belonging to Usama Bin Ladin's family members were found at the suspected al Qaida residence on Tariq Road in Karachi, Pakistan during raids on 11 September 2002.

3.b. The detainee engaged in hostilities against the United States or its coalition partners:

3.b.1. According to an al Qaida associate, the detainee fought north of Kabul.

The Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.

Tribunal President: Do you want to make a statement to the tribunal?

Detainee: No

Tribunal President: I understand.

Tribunal President: I also note from the detainee election form that your Personal Representative does have some remarks obtained during a previous interview. Do you approve of the Personal Representative restating that statement at this time?

Detainee: Some of it.

Tribunal President: I would like to ask the Personal Representative to read into the record what is also listed in the detainee election form for the Detainee to comment on.

Tribunal President: Before you begin the Detainee does not have to comment on this information if he so chooses. He should know that any information he can provide us would be very helpful to us. This tribunal panel has not read any other information about you. As you heard from the recorder we may receive other information at another time; but at this time all we know is the unclassified summary information-- the same information that you were read previously by your Personal Representative. And, I believe the Personal Representative's comments relate to your previous information to him responding to the unclassified summary. Personal Representative you may proceed.

Personal Representative: During our initial interview on 8 November 2004, the Detainee stated to me that he did not participate in the firefight in Karachi. He also said he did not know anything about passports that were in the apartment in which he was captured and that he had nothing to do with those documents. He also stated that he had never been to Kabul and that he had never fought north of Kabul. That concludes the notes.

Tribunal President: Said Salih, do you have any other comments to make regarding the Personal Representative's remarks?

Detainee: No.

The Personal Representative and the Recorder had no further questions.

The Tribunal Members' had no question for the Detainee.

The Tribunal President confirms that the Detainee and the Personal Representative had no further evidence or witnesses to present to the Tribunal. The Tribunal

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President explains the remainder of the Tribunal process to the Detainee and adjourns the Tribunal.

The Detainee did not take the Muslim oath.

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 Air Force
Tribunal President

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 Tribunal President states to the detainee that the two witnesses the detainee asked for previously have been notified and that as of 11 November 2004 no statement has been sent on the behalf of the detainee. The detainee understood the two witness have not made a statement after three attempts.

The Recorder presented Exhibits R-1 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 Detainee did not want to take the Muslim oath.

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.

Detainee: I have not relationship what so ever between Al Qaida and me. Even the time that I spent in Afghanistan would allow me to have a relationship with them. My goal was not to be related with al Qaida.

3.a.1. The detainee traveled to Afghanistan from Saudi Arabia in approximately August of 2001.

Detainee: My traveling to Afghanistan was a natural process. It was an Islamic country and going there was normal.

3.a.2. The detainee received training at a terrorist camp in Afghanistan.

Detainee: The training was religious it had nothing to do with terrorist group. If it happened I would have no problem telling you. It didn't happen. I stayed there for 20 days before 9-11. Even if I were to get training there I didn't have time or the chance too. After 9-11 there was a war and there was no more training.

3.a.3. The detainee's name was found in a document recovered from an al Qaida safe house in Islamabad that listed prisoners currently incarcerated in Pakistan.

Detainee: I was captured in Ok that doesn't mean I have any relationship with Al Qaida. My name was found under the captured of the detainee's captured. This is no problem to me my name was found there I don't see any problem with that. I am here in Cuba and my name is written here and it is stated that I am a detainee does that mean I am a detainee with Al Qaida?

3.a.4. The detainee's name was found in a document recovered from an al Qaida safe house in Karachi.

Detainee: I have no idea about this allegation. I have not heard it from the interrogators and I have no idea. I haven't given my name to anybody. After I was captured in Pakistan I gave my name to everyone so that they can tell my father since then they have probably found my name. I am not sure how my name was brought up.

3.a.5. The detainee's name was listed as al Qaida Mujahidin who had not yet completed training in a document recovered from an al Qaida safe house in Rawalpindi, Pakistan.

Detainee: This is not my name, I am sure this is not my name. I don't know anything about it. I am one hundred percent sure it's not me. I am sure my name isn't there.

3.a.6. One of the detainee's known aliases was on a list of captured al Qaida members that was discovered on a computer hard drive associated with a senior al Qaida member.

Detainee: I have not idea what so ever about this list of names. This is not true I have not alias name.

Tribunal President: Does this conclude your statement Rami?

Detainee: After about three years in prison, a lot of things happened. I have been able to mature. I wish I never had visited Afghanistan. I hope in the future I would be a better person.

Personal Representative: Are you the only son in your family?

Detainee: Yes.

Personal Representative: Is there some significance regarding in being the only son in Jihad?

Detainee: If you are the only son/male child in the family you are exempt in going to Jihad.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. Did you originally go to Afghanistan for Jihad prior to September 11?

A. I have Hathwa that I don't go to Jihad, I am the only male person in my family. I am exempt to go to Jihad.

Q. Why did you go to Afghanistan?

A. It was my first time it was for tourism. To visit.

Q. When did you entered to Afghanistan?

A. 2 or 3 weeks before 9-11.

Q. When did you leave Afghanistan?

A. During the month of Ramadan.

Q. What did you intend to see as a tourist in Afghanistan?

A. Just to confirm that Taliban Islamic.

Q. Do you contact the Taliban?

A. They exist on roads everywhere and anywhere.

Q. Did anyone try to recruit you in armed forces of Taliban?

A. No.

Q. Have you ever had any military training?

A. I am a civilian, I am a civil person I didn't get any training on any military process.

Q. You requested that your father to be here. What would he have told us if he were here?

A. He would tell that I went to Afghanistan. To tell you I was exempt from being involved with the Jihad. He allowed me to go on vacation for about 3 weeks.

Q. What about your witness, what he would he tell us?

A. He is a big chief there and he is the one that gave me the Hathwa to be exempt from the Jihad. I cannot do the Jihad I am the only male I am exempt. I had vacation for three weeks the University.

Tribunal President's questions.

Q. What was the camp name that you attended while in Afghanistan?

A. There was not camp.

Q. You said you attended a religious camp.

A. There was not camp there. I was at a Mosque. I was on the street, I met people.

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Q. Where did you go in Afghanistan? What cities?

A. Kandahr.

Q. When you were ready to leave Kandahr where did you go?

A. Go back to Saudi Arabia

Q. How did you get out of Kandahr?

A. Car.

Q. You traveled through towns and cities?

A. I tried to go back to the border but the border was closed. There were a lot of Pakistani military everywhere. This would detain my going out of Afghanistan.

Q. Where were you captured?

A. Inside Pakistan.

Q. So you did cross the border?

A. Yes, I did in a difficult situation.

Q. Through the Tora Bora mountains?

A. I just crossed the boarder not the mountains.

Q. How did you pay for your trip?

A. I had money.

Q. Did you have a passport?

A. Yes, of course.

Q. Did you have your passport when you were captured?

A. No.

Q. What happened to your passport?

A. I gave it to a member in Saudi's Council.

Q. In Afghanistan?

A. In Pakistan.

Q. You were not captured right away?

A. It was only days before then they captured me.

Q. What location in Pakistan were you captured?

A. Inside a city called Kuhat.

Q. Where were you staying in Kuhat?

A. With a Pakistani man.

Q. Was it a hotel, guesthouse?

A. I was a guest at this Pakistani mans house.

Q. Did you have help crossing the border?

A. Of course.

Q. You had a guide?

A. I was riding in a car with an Afghan man

Q. Was that the same guy you were with before getting captured?

A. No.

Q. How did you meet this guy you stayed with in Pakistan?

Detainee: The questions are increasing now and I think you are asking too many questions.

Tribunal President: The reason you are hear is for us to get answers to get the right decision. It is up to if you want to answer the questions or not.

Detainee: What was the last question you asked.

Q. Did you know the Pakistani guy that you stayed with?

A. We are Muslims and we help each other.

Q. How did you know him?

A. The same man that was with me in the car. That is how we met in the car.

Q. Did you have a weapon with you when you crossed the border?

A. No, I didn't.

Q. Did you have any weapons in Afghanistan?

A. I never had any personal weapons.

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.

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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.



Colonel, United States Army
Tribunal President

PERSONAL REPRESENTATIVE NOTES FROM ISN [REDACTED] INTERVIEWS

PR:	[REDACTED]
3 or 4 digit ISN:	[REDACTED]
Date:	18 Nov 04
Start Time:	1500
End Time:	1620

PR NOTES FROM INITIAL INTERVIEW WITH DETAINEE [REDACTED] (Binyam Ahmed Mohammed)

During the initial interview on 18 Nov 04, detainee elected to NOT to participate in the Tribunal. He had no witnesses or documentary evidence but requested that his Personal Representative provide statements made during the initial interview. Those statements follow:

- Detainee informed PR that the interrogators told him that the tribunals were a "pass by" to get to the courts. He stated that he had no evidence on him (plans, materials, weapons, etc.) when captured and was interrogated by the British Secret Service (M6) who said that he was not accused of anything. He told me he made statements while being (mentally and physically) tortured while in Pakistani jails. Detainee admitted items 3A1-4 on the UNCLASS summary of evidence, but stated he went for training to fight in Chechnya, which was not illegal. The detainee stated that the other items were rubbish or made under duress. He further stated that he traveled before 11 Sep 2001, which means he had different plans other than going to fight America. After 9/11, there was no way out of AF other than the groups who could get him out of AF, through PK, and back to Britian (namely al Qaida). Finally, detainee stated that his plane ticket at time of capture was a ticket from Karchi to Zur4ich to England, so how could he have plans to carry out attacks in the United States.

[REDACTED]
Major USAF
Personal Representative [REDACTED]

Exhibit D-0

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Summarized Sworn Detainee Statement

When asked by the Tribunal President the detainee stated he understands the process and he did not have any questions.

When asked by the Tribunal President if he wanted to make a statement the detainee stated yes and agreed to make his statement under oath.

I have evidence I am not an enemy combatant, I was taken by force. I joined the Taliban by force not by choice. Everyone in Afghanistan knows if the Taliban asks you to go with them you cannot say no. The Taliban were fighting against two Generals and they were recruiting people from all over the country. They wanted people to help fight and they took me by force. Our area was under Taliban control, so we could not fight them. We were so poor I could not move my family, that's why I stayed in the area. The Taliban were there taking things from people, taking money, they were there by force. That is all I am going to say, I said it under oath and it is the truth.

Summarized Answers in Response to Questions by the Personal Representative

Q. The evidence said you had a Kalashnikov but did you have any ammunition?

A. No.

Q. Were you continuously under guard while under the control of the Taliban?

A. Yes.

Q. Where you ever left alone?

A. No.

Summarized Answers in Response to Questions by the Tribunal Members

Q. The evidence states that you were trained in the use of the AK-47.

A. Yes.

Q. Where were you trained?

A. In our district.

Q. What type of military training did you undergo?

A. They only showed us how to fire the AK-47.

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Q. Was this over the course of a week, a month?

A. 4 days.

Q. Your military training was only 4 days long?

A. Yes.

Q. Did you ever fight with the Taliban?

A. No.

Q. What was your job in the Army?

A. They did not give me a job.

Q. So, your days were spent under guard in detention?

A. Yes.

Q. How long were you with the Taliban?

A. 1 month.

Q. From when to when?

A. I don't remember the month.

Q. Where were you during that month?

A. A couple of days from my house in a compound, in Konduz.

Q. When you were in the compound in Konduz, could you have walked away?

A. No.

Q. What would have happened if you walked away from the compound?

A. They would have shot me.

Q. You stated when you were captured you had no ammunition for your rifle.

A. Yes.

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Q. What did you do with the ammunition when the rifle was given to you?

A. I was never given any ammunition.

Q. You never had ammunition for the rifle?

A. No.

Q. Were you trained in heavy weapons or any other type of weapon besides the Kalashnikov.

A. No.

Q. How many children do you have?

A. 6.

Q. Are you married?

A. Yes.

Q. What would have happened to you if you hadn't gone with the Taliban on the day they came for you?

A. They would have taken me by force and placed me in prison.

Q. Do you have any other evidence to present to this Tribunal?

A. If the Tribunal allows it, I can give them the names of more people from my country.

Tribunal President: We do not need that information at this time.

Q. Is there anything else you would like to say?

A. No.

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AUTHENTICATION

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Col, USAF

Tribunal President

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Summarized Unsworn Detainee Statement

Tribunal President: Adnan Muhammed Ali Al Saigh, do you understand this process?

Detainee: Are you going to give me the accusations so I can respond to it?

Tribunal President: That's correct.

Detainee: Go ahead and accuse me and I will respond.

Tribunal President: When you respond, please speak up in volume a little bit.

Detainee: Do you understand Arabic?

Tribunal President: No, but we need to have your responses recorded as well.

Detainee: Bring the microphone closer to me then.

Tribunal President: The microphone will stay where it is, I ask that you speak up so not only can the microphone pick you up, but so the translator can understand clearly what you say.

Detainee: This is the way I talk, this is the way my voice is.

Tribunal President: Very well then.

Personal Representative hands Tribunal the Detainee Election Form (Exhibit D-a); Recorder hands Unclassified Summary to Tribunal (Exhibit R-1) and Exhibit R-2. Recorder reads Unclassified Summary.

President clarifies with Translator that the Unclassified Summary is the same one previously discussed with the Detainee.

Detainee: I want to answer all these accusations.

Tribunal President: You will have that opportunity in just a minute.

Detainee: Fine.

Recorder has no witnesses or further unclassified evidence, requests a closed session a later time to present classified information.

Tribunal President: Adnan Muhammed Ali Al Saigh, you may now present evidence you have to this tribunal and you have the assistance of your Personal Representative in doing so. Do you want to present evidence to this tribunal?

Detainee: I would like you to read the accusations and I will respond to it.

Tribunal President: When you respond would you like to make your responses under oath? If you like we can administer the oath at this time.

Detainee: Is this the infidel's oath or is it my oath?

Tribunal President: It is the Muslim Oath.

Detainee: Is it necessary for me to be sworn in?

Tribunal President: It's not necessary but we provide you the opportunity if you would like to take the Muslim Oath.

Detainee: When am I going to swear to it?

Tribunal President: Recorder, please administer the Muslim Oath?

Detainee: Am I going to swear to what he is going to read?

Tribunal President: Yes.

Recorder administers Muslim Oath to Detainee.

Tribunal President: Adnan Muhammed Ali Al Saigh, with the assistance of your Personal Representative, you may now begin.

3a. Detainee in associated with the Taliban.

Detainee: Is that the first evidence?

Tribunal President: Yes that is the first piece of evidence as identified on the Unclassified Summary.

Detainee: If I am with the Taliban, why is that an accusation?

Tribunal President: What do you have to say about that, are you or are you not with the Taliban?

Detainee: I am.

3a1. Detainee stated he answered an Islamic fatwah in Saudi Arabia to fight for the Taliban forces in Afghanistan.

Detainee: That is a religious activity, are you fighting my cause?

Personal Representative: When I spoke to the Detainee, he said, "this is true but I did so to answer a religious calling."

Detainee: That is what I told the guy and I'm wondering why you are fighting my religion?

Tribunal President: The reason we are here today is to determine today whether or not you are properly classified as an enemy combatant.

Detainee: I don't consider myself an enemy combatant because all the accusations have no harm or effect on America.

Tribunal President: Very well, if we could continue then he has an opportunity to tell his side against the unclassified evidence.

Detainee: I agree to that.

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

Recorder provided translator an English copy of unclassified summary.

Detainee: I never participated.

Personal Representative: When I spoke with the Detainee, he said he fought with the Taliban against the (forces led by General) Massoud but not against the American allies.

Detainee: That's true.

3b1. Detainee went to Afghanistan to fight in the Jihad with the Taliban for approximately six months before being captured in Qualajinki, Afghanistan.

Detainee: That's true, but only 4 months.

3b2. Detainee served at the front lines near Khanajah Gar, Afghanistan.

Detainee: Is that an accusation?

Tribunal President: That's right.

Detainee: Strange, that's strange.

Personal Representative: He told me he did not fight on the front lines but was just providing support.

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Detainee: I was giving support to people that owned horses.

Tribunal President: Adnan Muhammed Ali Al Saigh, does this conclude your statement?

Detainee: I have nothing else to say.

Tribunal President: We may have some questions, do you mind if we ask you questions?

Detainee: Is that an interrogation or court?

Tribunal President: This is a non-judicial hearing, this is not a court of law.

Detainee: What's the difference between the two?

Tribunal President: In a judicial setting, you would have a judge and lawyers representing the Detainee. Lawyers would also represent the Government in a judicial session. In a non judicial session, which this is, the Detainee is not represented by a lawyer, the Government's information is not presented to the tribunal by a lawyer, although it is a legal proceeding it is purely administrative in nature.

Detainee: What is the reason for this hearing?

Tribunal President: The reason is to determine whether you are properly classified as an enemy combatant. An enemy combatant has been defined as an individual who was part of or supporting the Taliban or al Qaida forces or other associated forces who are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of the enemy armed forces. We are here to make that determination of whether you meet that definition of enemy combatant.

Detainee: "The Massoud"; is he one of your allies?

Tribunal President: Yes.

Detainee: When did he become your ally or coalition partner?

Tribunal President: I think officially after September 11, 2001.

Detainee: I never fought after 2001.

Tribunal President: We have not been exposed to any of the unclassified evidence or the classified information, and that's why we are interested in your story.

Detainee: I was wondering how "the Massoud" became one of your allies.

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Tribunal President: I don't have that information, that is above my pay grade and not available to me.

Detainee: I didn't think the Massoud was one of your allies.

Tribunal President: May we ask you some questions?

Detainee: I am not going to answer any questions; the only thing I am going to do is defend these accusations.

Tribunal President: The questions we would like to ask are relevant to this.

Detainee: You are going to ask me and I will respond to you?

Tribunal President: If you would be so kind.

Detainee: If its new questions I will answer them, if its old questions I'm not going to answer.

Tribunal President: Very well, we'll take whatever level of cooperation you choose to give us. I want you to understand we are here to determine your enemy combatant status. And in doing that, it's to your benefit to help us understand what your position was and in order to do that we have to ask questions. Do you understand?

Detainee: Fine, go ahead and ask the questions.

Tribunal President: Thank you very much.

Personal Representative has no questions for the Detainee.

Personal Representative: I just want to repeat that the Detainee was fighting against "the Massoud" starting March 2001.

Detainee: I do not know the exact date.

Recorder has no questions for the Detainee. Tribunal Members begin questioning.

Tribunal Member: Did you answer a fatwah from a religious leader in Saudi Arabia to go to Afghanistan?

Detainee: Yes.

Tribunal Member: What did the leader say?

Detainee: Who is the leader?

Tribunal Member: The sheik or the religious authority who convinced you to go to Afghanistan.

Detainee: I went there to fight with the rest of the people.

Tribunal Member: What did the Sheik or Imam tell you about Massoud and the people allied with him?

Detainee: I don't know who the Sheik or Imam is.

Tribunal Member: Did you realize when you went to Afghanistan that Massoud and his people were also Muslim?

Detainee: Yes.

Tribunal Member: So why did you choose to fight against them?

Detainee: This is none of your business.

Tribunal Member: We'll give you one more chance to answer that if you would like to reconsider.

Detainee: Again for the second time, that does not concern you.

Tribunal Member: You said that when you were in Afghanistan, you didn't fight but just provided support.

Detainee: What's the next question?

Tribunal Member: What kind of support did you provide?

Detainee: You have that in my file from the interrogators.

Tribunal Member: The Tribunal has not seen any of the files of the interrogators and that is why we are asking you this question.

Detainee: Do you have the file?

Tribunal Member: Again for the second time, the Tribunal does not have access to this file and that is why we are asking you this question.

Detainee: Everything is in my file.

Tribunal President: I might say that I find it disappointing that you are not cooperating. I thought I had explained to you to determine your enemy combatant status and to your benefit it would be good to answer to our questions. But if you choose not to, then we would not gain very much if we continued to ask questions if you're not going to answer them.

Tribunal President: Adnan Muhammed Ali Al Saigh, do you have any other information to present to this tribunal?

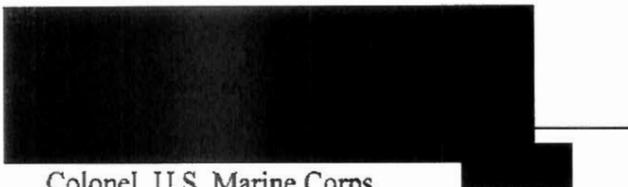
Detainee: There is none.

Recorder had no further questions

Tribunal President: All unclassified evidence having been provided to this tribunal, this concludes the open session of the tribunal.

AUTHENTICATION

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

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Colonel, U.S. Marine Corps
Tribunal President

Summarized Unsworn Detainee Statement

The Tribunal President brought the Tribunal Session to order noting that the Detainee had elected to not attend the session.

The Recorder read the Unclassified Summary of Evidence and presented it to the Tribunal. The Recorder then confirmed that was no further unclassified evidence and requested a closed session to present classified evidence relevant to the Detainee's status as an Enemy Combatant.

The Personal Representative stated that the Detainee requested a statement be made on his behalf in regard to the information presented on the Unclassified Summary of Evidence. The Personal Representative proceeded to read the following numbered paragraphs contained in Exhibit R-1 and provided the Detainee's unsworn responses to each:

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

That is not correct.

Item 3.a.1. The detainee accepted a fatwa from the Saad Bin Moad Mosque in Riyadh, Saudi Arabia to fight for the Taliban against the Northern Alliance.

The Saad Bin Moad Mosque is just a small mosque next to my house.

Item 3.a.2. The detainee traveled from Saudi Arabia to Afghanistan via Pakistan during Summer 2001.

This is true.

Item 3.a.3. The detainee received weapons training on the Kalashnikov rifle at a Kandahar guesthouse.

This is true.

Item 3.a.4. The detainee's name is on a computer list of al Qaida mujahidin seized during raids of al Qaida safe houses in Pakistan.

This is a lie. I didn't use my real name while I was in Afghanistan. I only used a nickname, Abu Ahmed.

Item 3.b.1. The detainee carried a Kalashnikov while on the front lines in the Konduz area.

This is true.

Item 3.b.2. The detainee fought on the Konduz front lines with an Arab unit led by Abu Moazh.

This is false. There was no fighting there. We were surrounded at Khost then came the uprising during Ramadan in the ninth month.

Item 3.b.3. The detainee was on the battlefield on 11 Sep 01.

True. But there was no fighting and it didn't start for a month.

Item 3.b.4. The detainee surrendered to General Dostum, along with 450-600 other Taliban fighters.

This is true.

Item 3.b.5. The detainee was sent to the Al-Janki prison in Mazar-e-Sharif, where he was present during the uprisings.

This is true.

In addition to the answering the items on the Summary the detainee requested the following statement be made.

I had never seen an American until I was jailed. Is there something about Saudis and Yemenis that's special? I believe that they are kept longer in interrogations than any other group and are not being released like other groups. I was fighting with some of the Pakistanis and Afghans that were here and they have been released and sent home. I don't understand what the difference is between them and me.

The Tribunal President confirmed that all unclassified evidence had been heard by the panel and adjourned the Open Session.

AUTHENTICATION

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Colonel, United States Army
Tribunal President

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Summarized Unsworn Detainee Statement

The Tribunal President read the Hearing Instructions to the Detainee. The Detainee understood the process but requested that the documents be read to him in Uzbek rather than in Russian.

The Tribunal President confirmed that the Tribunal could comply with the Detainee's request.

The Detainee confirmed that the closed session would be for the Tribunal only, and he would not be participating in that portion. The Tribunal President advised the Detainee that he was right.

In the summary of evidence, it says I associated with Taliban forces, but I have nothing to do with them. I know nothing about them.

The Tribunal President interrupted the Detainee to give him the opportunity to make his statement under oath, if the Detainee chose to do so.

I never in my life have sworn before. Even when a representative from Kazakhstan came and presented me a Koran, I didn't want to swear on it.

The Tribunal President advised the Detainee that was fine and it was not necessary to take the oath and the Tribunal Members would still take his statement into consideration.

I have nothing to do with the Taliban forces. I've never been associated with them. What else can I say? I've never in my life been in America, I've only heard about it. I am all the way on the East side of the globe and America is on the west side. I have never had anything against America. I'm not even sure why I was brought here.

I am speaking from my heart; you can believe me. I knew America as a democratic country and I still believe it is a democratic country.

There is not much I can say about it. I believe you probably have some kind of statements in my case.

I was tortured badly; they [unknown] even tried to kill me, after I was brought here by the Northern Alliance forces.

I never had a weapon. I never carried a weapon with me and I've never been in any kind of armed fight. That is all I can say.

In your summary of evidence, it says I have been a cook for the Taliban. I never cooked for them, I was only a helper. I don't believe it's fair for you to include me as a Taliban combatant or fighter just because I was a helper for the cook. That's all I can say.

The Tribunal President advised the Detainee that the Tribunal Members have some questions they would like to ask.

It has been mentioned that is my choice to answer your questions or not, and according to that, I believe you are still going to make your own decisions. I believe it is worthless for me to answer your questions anyway, because you are going to make your own decisions. I told you everything.

I believe, by law, I am entitled to have a lawyer.

The Tribunal President explained to the Detainee that if this were a judicial proceeding, the Detainee would be entitled to a lawyer, but this was an Administrative Hearing. The Tribunal Members are here to determine if the Detainee is properly classified as an enemy combatant.

I am trying to understand, but it is still my understanding that during the questions and answers I have to have a lawyer.

The Tribunal President stated the Detainee did not have to have a lawyer for this proceeding. The Tribunal President further stated all the information the Tribunal Members have about the Detainee is in the Unclassified Summary and have seen no other evidence. It would be beneficial to the Detainee to allow the Tribunal Members to ask questions.

The Detainee agreed and allowed the questions.

Questions by Tribunal Members

Q: You are from Uzbekistan?

A: No.

Q: Tajikistan?

A: I'm from Kazakhstan.

Q: The evidence indicates that you were conscripted into serving with the Taliban by men from Tajikistan. Could you explain how that happened, please?

A: These are [answers] I've already said so many times. They just took me away.

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- Q: Were you in Tajikistan at the time or Kazakhstan, or somewhere else?
- A: Which time?
- Q: Was there more than one time?
- A: I'm confused. Is there a specific date you are talking about, or something else?
- Q: We don't know any of your story. It would be helpful if you told us how you came from Kazakhstan to Afghanistan, to help us understand. Are you willing to do that?
- A: I was doing trading. That's how I ended up in Tajikistan.
- Q: Tajikistan?
- A: I went to Tajikistan due to trading business.
- Q: Then what happened?
- A: I went there [Tajikistan] to sell apples and they captured me and took me away.
- Q: Did you know who these men were?
- A: I don't know. They didn't tell me who they were.
- Q: Did they take anyone besides you?
- A: I don't know but there is a possibility.
- Q: Were you with anyone when you were taken?
- A: No.
- Q: We're not familiar with this group called the Islamic Movement of Uzbekistan. Can you tell us anything about that?
- A: I don't know anything about them. I've just heard about them.
- Q: So, the men took you when you were in Tajikistan. Then what happened?
- A: After that I was in Afghanistan for about a month and then they gave me away to different people.
- Q: What people were those?

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A: I don't know. They didn't tell me who they were. They just took me away and then they put me in labor, into work.

Q: What responsibilities did you have?

A: Like mentioned in the summary of evidence, I was working in the kitchen. I was just helping a chief cook, but I never cooked myself.

Q: How long did you do that?

A: Five to six months.

Q: What happened at that end of that time? Was this when the Northern Alliance overran your position where you were?

A: After the attack from America, everyone ran away. I was just let out of there. There was a car heading to Iran with a bunch of people. I just jumped in and decided I was going to go along with them. They were heading to Herat. I was going to continue my way to Iran and go from there.

Q: You were on your way to Herat, and then what happened?

A: We stopped at night, and in the morning we were surrounded by the Northern Alliance forces. Prior to that, I wasn't feeling good, for about 3 months. I was sick.

We were surrounded by Northern Alliance forces and taken to a place with walls around it. They [Northern Alliance] let everybody out of the cars and were searching all of the clothes and luggage. After that, they put all of us in the basement.

I spent one day there. I don't know the exact time because I was in the basement. At some point, they told us to get out of the basement. I was sick and decided I was going to go behind everybody. Everybody lined up to get out of the basement. It was group of about 20-30 people.

At that time, I noticed there were two entrances to the basement, one on the left and one on the right. We were standing in the one that goes on the left side. When I was close to the entrance on the left side, I heard gunshots. Everybody panicked and tried to get out. I thought the gunshots were coming from the right entrance. I was running behind the people who were running from the left entrance.

As soon as I got out of the left entrance, in order to save my life, I turned to the right and there was a grenade explosion and I was injured. From the corner of my eye, as I turned around, I saw there were a lot of people laying or sitting on the ground. Since I was injured, I could only take a couple steps and I collapsed.

It wasn't outside yet. It was only as you got out of the basement, it took place in some sort of foyer.

So, when I collapsed, I noticed that both of my legs and my back were bleeding. I saw some fabric lying around, so I picked some up and tied my legs.

While I was lying on the ground, I heard a lot of gunshots close to me. Another explosion took place; it was close to me. Pieces of debris, like steel, not just regular debris...

In order to save my life, I figured it wasn't good for me to lie there. I decided to crawl back into the basement.

I went back to the basement and probably spent about 5 or 6 days and beside me there were a few more injured people. I lost lots of blood and was almost unconscious. I remember someone was giving me water, but I'm not sure who it was.

It was very hard without water. I believe I was hallucinating when I was injured and I'm not even sure what I was seeing.

There was another explosion and it felt almost like an earthquake. I'm not sure which side it was from; which forces did it.

Then we smelled gas and believed somebody actually spilled gas or oil and lit it on fire. Since I was unconscious, it smelled like someone cooking something, that somebody was actually frying meat. Then, it is my understanding that somebody actually caught on fire. It was somebody's body.

Then they started to fill the basement with water. I'm not sure how much time I spent in the water. After that, I totally lost control of myself. I remember hearing some voices. I remember somebody lifted me up and took me out of there [the basement].

They took me to the hospital and started treating me. My legs were swollen. I don't remember if they operated or did something. Then I was handed to you and since then, I'm here.

Q: How long did it take you to recover from your injuries?

- A: When I was in Kandahar in the prison, it was very cold. My injuries got worse. After I came over here, they treated me and I am well. Much better.
- Q: Most of the Detainees in the camp wear orange. We notice you are wearing white. Why is that?
- A: That is a question I intended to ask you.
- Q: If I knew the answer, I wouldn't have asked you myself.
- A: I don't know.
- Q: During the time you were helping the head cook, do you feel you could have just left?
- A: I thought about it, but I couldn't. I wasn't feeling good at that time. If you want, I can tell you what kind of sickness I have.
- Q: Did it [sickness] keep you from moving around very much?
- A: The problem was with my wisdom teeth. They tried to pull them out and actually broke them. After that, I caught Malaria. They didn't have a specific treatment for that illness, so everybody was giving me all kinds of medications, but nothing helped me.

Questions by the Tribunal President

- Q: Did you do any other chores or work related activities in support of the Taliban?
- A: I was there helping cook. I didn't even know who I was helping because no one told me it was the Taliban.
- Q: While you were helping the cooks, did you travel to many places in Afghanistan or stay in one place?
- A: I stayed only in one place.
- Q: And where was that?
- A: Konduz.
- Q: Have you ever had weapons training, either in your home country or in another country?

A: I didn't have any training on it, but since the Translator is from that area of the world, she knows, back in high school there would be classes where you learn military basics.

Q: On rifles?

A: In high school we were trained on rifles as preparation for the future or to join the military.

Q: At any time, when you were in Afghanistan, did you carry a weapon?

A: No.

Questions by Tribunal Members

Q: When you were in Afghanistan, were you ever familiar with any people associated with Al Qaeda?

A: I never heard about Al Qaeda until the U.S. invaded Afghanistan. Even after that I heard about Northern Alliance forces. Only after that I heard about Northern Alliance also.

The Tribunal President thanked the Detainee for answering the questions.

Thank you so much for your cooperation also. I believe it's one step forward to me to get released.

According to the statement, I was associated with the Taliban and Northern Alliance. As I mentioned before I was sick for almost 3 months. I didn't even have the strength in my body to do anything of that nature.

I just want to tell you I have nothing to do with those forces. That's all I can say.

As the Tribunal President was reading the instructions regarding the Tribunal decision, the Detainee interrupted and made the following statement.

I need to interrupt you because you said if I still pose a threat to the U.S. or its allies. I have never had anything against the United States and I didn't see anything against me from the U.S., so there is no reason for me to fight against you.

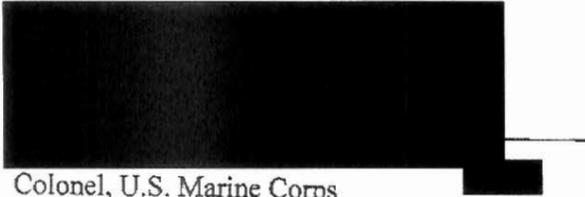
I always knew America as a democratic country and always heard positive things about America. I believe that after 9/11 America became very aggressive and that's probably the only reason I'm here.

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The Tribunal President stated he was explaining the processes that lie ahead if the Detainee is found to be properly classified as an enemy combatant.

AUTHENTICATION

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

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Colonel, U.S. Marine Corps
Tribunal President

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Summarized Detainee Statement

The Detainee elected not to attend the Tribunal proceeding, but requested the Personal Representative make a statement on his behalf. The Personal Representative made the following statement:

- **3(a) The Detainee is a member of the Taliban and/or Al Qaeda.**

Yes, I was with the Taliban.

- **3(a)1 The Detainee traveled from Yemen to Afghanistan in 2001**

I entered Afghanistan about eight to nine months before 11 September. I didn't hear about al Qaida until from the media in the front lines.

- **3(a)2 The Detainee joined the Taliban while in Afghanistan.**

Yes, but that doesn't mean I supported Usama Bin Laden.

- **3(a)3 The Detainee stayed at four different Taliban guesthouses during his travels between Pakistan and Afghanistan.**

The first house was in Pakistan on the boarder, a place called Qatar. The second house was in Bulldock (Spin Buldak), Afghanistan across the boarder. The third house was in Kandahar and the fourth house was in Kabul.

- **3(a)4 Usama Bin Laden spoke to the Detainee's group while they were in Tora Bora.**

Not true. I have never been in Tora Bora. When I entered Kabul twenty days later, I went up North.

- **3(b) The Detainee participated in military operations against the United States or its coalition partners.**

The first time, I fought against Massoud's group. The first time I saw Americans was in Kandahar.

- **3(b)1 The Detainee fought on the front lines against the Northern Alliance.**

True.

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- **3(b)2 The Detainee stated that he fired at the enemy, but did not kill anyone.**

True.

- **3(b)3 The Detainee was captured at Mazar-e-Sharif.**

True.

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. Marine Corps
Tribunal President

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