

Summarized Tribunal for ISN #288

The Tribunal Recorder, Reporter, and Translator were sworn. The Tribunal took a short recess to allow the Detainee to be brought into the Tribunal room.

As the Tribunal members re-entered the Tribunal room the Detainee was in colloquy with the Arabic language Translator. Upon the Tribunal being called to order, the Translator informed the Tribunal that the Detainee informed the Translator that Detainee requested that the Translator inform the Tribunal that he no longer wished to participate in the Tribunal

The Tribunal President assured the Detainee that he could be present at and remain in the room whether he participated in the Tribunal or not The Detainee responded:

I would not like to participate at all.

The Tribunal President called for a brief recess to allow the Detainee to be removed from the Tribunal room.

Upon reconvening the Tribunal, the Tribunal President inquired of the Personal Representative of his interaction with the Detainee in preparation for the Tribunal. The Personal Representative stated that he explained the process to the Detainee and during the interview the Detainee elected to participate, to make a statement under oath and to utilize the assistance of the Personal Representative in making his statement. The Personal Representative stated that the Detainee's change of mind was a surprise. The Tribunal President determined that the Detainee was aware of his right to participate in the Tribunal and made a knowing waiver on the record of this right The Tribunal President further determined to proceed with the Tribunal in the Detainee's absence.

The Tribunal proceeded without the Detainee being present.

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

Summarized Detainee Statement

Tribunal President: Ahmad, 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 the Tribunal and would you like to take a Muslim oath?

Detainee: Yes.

Tribunal President: Recorder, please administer the Muslim oath.

The Detainee was sworn using the Muslim oath,

The Personal Representative read the allegations to the detainee, and also read the detainee's responses to each allegation. The detainee added comments, as he deemed appropriate.

3.a. The detainee is an Al Qaida fighter.

3.a.1 The detainee stated that he left China during September 2000 and traveled to Kabul, Afghanistan, by way of Kyrgyzstan and Pakistan.

Personal Representative on behalf of the detainee: True, I went to Afghanistan by way of Kyrgyzstan and Pakistan. I went to Afghanistan for independence. I passed through the borders legally. I had a passport and a visa. That does not mean that anyone who travels this way is Al Qaida. There is no religious freedom in China. That is why I brought my family to Afghanistan. Now, would you like to say something further?

Detainee: I want to clear up one thing that he said. I was asking a question, "If any persons pass through those borders legally, with a passport and a visa, does it mean that all those people are a members of Al Qaida or fighters?"

Tribunal President: No, it does not mean that.

Detainee: Because, they claim I am an Al Qaida fighter, and then, in number one, they say I passed through those borders, then into Afghanistan, then I become an Al Qaida fighter. What I am trying to say is, they are blaming me for being an Al Qaida fighter. Then they have evidence here that I passed through those borders into Afghanistan. This is the evidence?

Tribunal President: You have anything else you'd like to say?

Detainee: No.

3.a.2. The detainee stated that he was a member of the East Turkistan Islamic Movement (ETIM) AKA Sharq (East) Turkistan Islamic Partiyisa (STIP).

Personal Representative on behalf of the detainee: I don't accept this. I never said I was a member of any of these organizations. I never talked to anyone about this. On early interrogations, I told them I was not a member of those organizations. Now, would you like to add more?

Detainee: Are you saying that you think this Turkistan Islamic Party is part of Al Qaida? Is that what you are looking for?

Tribunal President: I don't know, this information is just given to us and we are asking you to respond to these. I don't know what the assertion is.

Personal Representative: If he remembers during our meeting, I had told him that the United States had recognized the ETIM as a terrorist organization that was associated with Al Qaida. Would you like to add anymore, other than what I said?

Detainee: No.

3.0.3. ETIM is an extremist Islamic organization operating in the eastern region of China.

Personal Representative on behalf of the detainee: I am not a member; I have nothing to do with this organization. This region of the country was invaded by the Chinese. For all 30 million Uighur people, this region is called northwestern, not eastern region.

Detainee: It's the Chinese government who calls it the northwestern region.

Personal Representative on behalf of the detainee: No Uighur people are part of the Islamic movement. Uighur people are trying to get their independence from the Chinese government. We fight against the Chinese government. That does not mean I am a member of Al Qaida. We fight against the Chinese government for independence.

Detainee: Independence for my country.

Personal Representative on behalf of the detainee: If all 30 million Uighur people fight against the Chinese government, that does not make them Al Qaida.

Personal Representative: Would you like to say more?

Detainee: If the members have a question about this issue, I will answer, but I have nothing more to add.

Tribunal President: We will have an opportunity to ask you questions after we go through the Unclassified Summary. Ahmad, let me just ask you one question. Are your cuffs on too tight?

UNCLASSIFIED//FOUO

Detainee: Yes.

Tribunal President: Let's take a brief recess to allow the guards to come in and loosen the cuffs on him. Personal Representative, please track where we are on the Unclassified Summary.

Personal Representative: Yes, ma'am. We just finished 3.a.3. We will be starting 3.a.4. when we reconvene.

Tribunal President: Okay.

The Tribunal recessed to have the detainee's handcuffs loosened.

The Tribunal reopened with all persons once again present.

Tribunal President: Personal Representative, will you continue please?

3.0.4. The detainee was captured near Mazir-E-Sharif, Afghanistan, by General Dostum's troops, taken to the Qalai Janghi Prison, and later turned over to U.S Forces.

Personal Representative on behalf of detainee: On our way to find a safe place, we had to pass through Mazir-E-Sharif. Then we were captured by General Dostum's troops. We were following lots of people in that area.

Personal Representative: Would you like to say more?

Detainee: I want to make a point. I want to say more about the whole accusation.

Personal Representative: You want us to finish all first, or would you like to say that now? You may.

Detainee: I will tell my story at the end of all these accusations.

Personal Representative: Would you like to say anything more about number four?

Detainee: My going through Mazir-E-Sharif, then being captured by General Dostum's troops; does it explain that I'm an Al Qaida member? Do you have any evidence to prove that I am an Al Qaida member?

Tribunal President: There is supporting evidence that says you are a member of Al Qaida, but this is your opportunity to tell us your story and to rebut any of the government's evidence.

UNCLASSIFIED//FOUO

Detainee: Everybody passed through on the streets and walked. Foreigners, bad people, good people, soldiers, fighters. Everybody walks through the street and I am passing through the road, then I am captured by General Dostum's troops. It does not explain that all those people are Al Qaida. It is kind of funny looking. Everybody walks in the street, everybody walks.

3.b. The detainee participated in military operations against the United States or its coalition partners.

3.b. 1. The detainee stated that he was trained to use an AK-47 rifle.

Personal Representative on behalf of the detainee: True, I did tell them I was trained about 2 hours on a weapon. I am not sure if it was an AK-47. I trained to use the rifle, not to fight against coalition or U.S. forces. I trained to use the rifle for future fighting against the Chinese government. I thought the training might be useful if I had to ever fight the Chinese government. Because I was trained in the use of a rifle does not mean that I was going to use it against the coalition or the American forces. Would you like to say more?

Detainee: No.

3.b.2. The detainee stated that he traveled to Konduz, AF, and then on to Mazir-E-Sharif to fight against General Dostum's troops.

Personal Representative on behalf of the detainee: I went to Konduz, Afghanistan, to find a safe place to go. I went through the Mazir-E-Sharif on the way to a safe place. I never went to go and fight against General Dostum's troops. When I was captured and traveling to safety, I had no weapon, I am not a soldier. I had a family in Kabul, Afghanistan. I was trying to get to my family because the war started. I wanted to get them to some safety in another country, were Uigher people live peacefully. Do you want to add to that, say more?

Detainee: No.

3.b.3. The detainee was a prisoner at the Qalai Janghi/Mazir-E-Sharif Prison during the Mazir-E-Sharif Prison Riot.

Personal Representative on behalf of the detainee: I was taken there when captured; I did not participate in any riot. They dropped bombs and I was injured. I was not a soldier. I have nothing against the Americans. Why would I participate in the riot? All Uighurs, have one enemy, the Chinese. We have no other enemies. Now, would you like to say anything else?

Detainee: I want to remind you of one thing. Until I was captured in Afghanistan, I was captured by General Dostum's troops and then they took me to the Qalai Janghi prison,

ISN#201
Enclosure (3)
Page 4 of 13

UNCLASSIFIED//FOUO

002612

then they turned me into the American prison at Kandahar. During that time, I did not see any American soldiers or any coalition forces or any other people. And then they come back for the accusations. They accused me of being an Al Qaida fighter, then they put evidence in here, but it does not relate to any Al Qaida fighter or anything like that. All these accusations don't really explain anything. If you are accusing me of being an Al Qaida fighter or something else, then prove this. Bring some evidence. But this evidence doesn't really prove that I am a member of Al Qaida or something like that. I want to ask one question, for all these accusations that are on me; do you have any real proof?

Tribunal President: There is some classified information that has evidence, but I guarantee you we will consider the unclassified information, your statement, your answers or responses to the unclassified information and the classified information before we make a decision.

Detainee: I don't know anything about the classified evidence, because I can't prove, I can't make statements for the evidence in here, accusations, but I can't make any proof. I can't bring any evidence for the classified. Then you are just going to make a decision on those classified accusations.

Tribunal President: No, again, I said we will make our decision based on your responses to the Unclassified Summary, your responses to our questions, and any other comments that you have, and we will consider the classified information. Now, Ahmad, do you have any other comments that you would like to add to the unclassified information?

Detainee pauses.

Tribunal President: Ahmad, we can ask you some questions and maybe that will assist you in coming up with some additional information you would like to provide to us.

Detainee: Okay.

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

Personal Representative: Yes, I do. Why did you not have any witness?

Detainee: Because the person that traveled with me, who helped me to leave, the road stopped when we were captured and then the prison riot, when they dropped the bomb, he was dead. And, also because the person is dead and I have my wife in Afghanistan, Kabul, I have no information about her now, I have been here three years and I don't know where she is at, I can't call for a witness for my wife. I don't have any close person.

Personal Representative: When captured, did you have your passport and papers? What happened to them?

UNCLASSIFIED//FOUO

Detainee: I left my passport, all the documents at home. And in Afghanistan, when you travel, you don't really need it, the passport to take with you.

Personal Representative: Thank you. I have no further questions.

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

Member: Yes, ma'am. When you traveled to Kabul in 2000, did you take your family with you then?

Detainee: My family was not with me. I went to Afghanistan first for a while, and then my family came to Afghanistan.

Member: Okay, when did they arrive in Afghanistan?

Detainee: Approximately, after five, six months.

Member: When did you leave Kabul?

Detainee: I left Kabul before, like 15 or 20 days before I was captured by General Dostum's troops.

Member: Okay. Where were you when you heard of the attacks on the United States, in New York?

Detainee: I heard about the attacks in New York, I was in here.

Member: You said that you had a few hours of rifle training or weapons training, who gave you the training?

Detainee: I want to make a correction on this question. I never had training on how to shoot a gun, but I looked at a gun and then I learned how to split the parts and bring it back, put it back. I learned that in Kabul. Probably 1 hour and 40 minutes.

Member: Okay, but you never shot the gun?

Detainee: No.

Member: Do you remember who gave you the training?

Detainee: The person who took me to that place. That person is also dead in the prison riots.

Member: Is that person another Uighur, or was that person an Afghani or Taliban?

TSN#201
Enclosure (3)
Page 6 of 13

UNCLASSIFIED//FOUO

UNCLASSIFIED//FOUO

Detainee: He was a Uighur,

Member: Have you ever had any other military or weapons training?

Detainee: No, I have never been in those kinds of training places.

Member: That's all I have right now, ma'am. Thank you.

Detainee: Your welcome.

Member: When you were in Konduz, when was that?

Detainee: It took two days to get to Konduz, as I said to the other gentleman right before, like fifteen to twenty days before I was captured by General Dostum's troops.

Member: When were you captured by Dostum's troops?

Detainee: Fifteen to twenty days after I left my home, because I cannot remember exactly the day or month. That's why I could not tell you the time. If you look at my file, then you would find the exact date.

Member: Had the bombing already started in Kabul?

Detainee: I heard about it in some parts.

Member: So, when you went up to Konduz, the bombing had already started in some parts of Kabul?

Detainee: I heard it in one or two places in Kabul, but I did know if any other places had been bombed, started or not.

Member: Okay, but you did know that the bombing had started in Kabul?

Detainee: I heard the noise.

Member: Heard noise? Why did you go to Konduz?

Detainee: I have told this during interrogations and also I will tell the one thing that has never been asked during interrogations, I would like to tell you now. First, in Afghanistan, Kabul, there started some kind of bombing. Then another person led me to go north. I told them, if there are more people staying in the Northern part of Afghanistan that are Uzbek people, they understand my language, that might be better for me to live in that area. Then that person took me to the Konduz. Secondly, earlier that person mentioned to me, that there was war going on up North. Then if you go there, you

ISN#201
Enclosure (3)
Page 7 of 13

UNCLASSIFIED//FOUO

UNCLASSIFIED//FOUO

can see how is it. You can have some idea, then it might help you. When he said that, I was kind of interested to go up there see what it looks like. Because they were fighting each other and there was a war going on, I had some kind of interest, if in the future war is going on, and I mean in China, then I would like to go up there to see what it looks like, because I've only seen war at the movies. Then I would have some idea. That's why I went up.

Member: So I want to make sure I understand. The first point you said is that you were looking to see if it was a safe place, maybe for your family. But the second point you said that there was a war going on and you wanted to see it. I don't understand.

Detainee: It is understandable because the reason (sic). First, I said I tried to find a safe place for my family to go. Up there are a lot of Uzbek people, and they can communicate with each other and we can understand the culture and all this stuff. You can get help from the Uzbek people. Secondly, they also told me they're just lighting each other. It is not a big war. Then they told me that there would be one bombing in one month and there is no bombing in another month. I just wanted to look at from a far distance. I wasn't there to go out and fight with anybody or anything like that. I had nothing to do with the fight, and I had no interest in those fights. If you think I went to that place for fighting, it does not make sense, because I would never leave my family behind, then go for fight, I would never do that

Member: But you did leave them behind, even though Kabul was being bombed.

Detainee: You are right, I did leave ray family behind. I went there because they told me Kabul city is not good for foreign people to live in this city. You cannot get along with the people. Then I was interested in going to see the Northern part of Afghanistan because there were Uzbek people we can communicate with, and we can get along. I was trying to see with my own eyes how it looks. That's the reason I went.

Member: You were taught how to assemble and disassemble the weapon. Where was that? Was that in a camp or some type or a school? What was the location?

Detainee: It was not a camp. It was not a school. The place I was staying.

Member: How many people were staying with you? Was it just your family or was it a group of Uighurs? Give me an idea.

Detainee: I was staying with my family. There were no other people besides me.

Member: If there was no one else there, how did the person instruct on the weapon?

Detainee: The person that led me up north, that's the person who came to my house in the past, one or two times. That person taught me, instructed me in my house. He came

UNCLASSIFIED//FOUO

to my house by car. One time he had a car and he has a rifle in his car and he showed it to me.

Member: What did you do in Afghanistan? What was your job?

Detainee: First my goal was go somewhere, where people have their freedom to live in peace. Then, after some other people give me some kind of advice or something, or give me some kind of idea, unfortunately, I ended up in Afghanistan.

Member: What was your job in Afghanistan?

Detainee: When I ended up in Afghanistan, I had someone give me the address, then I followed the address in Afghanistan. That place has some other people at that place. Then I stayed there a while, then I don't have any more money left. They asked me what I wanted to do, then I said I would like to do some kind of business. That's the reason I left my country, that is the one reason I left my country. Then they told me business is not really that good in that place right now, we need someone to type. You do a typing job for us. Then I typed for those Uighur people. A typing job.

Member: Who were those Uighur people? What was the organization or the group or the company? Who did you work for?

Detainee: There was like three or four people. They published books. Then they brought stuff and I just typed and put it in the computer. All that kind of work.

Member: I don't have any other questions. Thank you.

Tribunal President: Who was it that gave you the address for the place in Afghanistan, in Kabul?

Detainee: The person from Pakistan.

Tribunal President: Who was that person?

Detainee: There are some people in Turkistan that made me interested in going to Pakistan. Then the person in Pakistan looked at me, that's the person that gave me—I believe his name Alim Jhon.

Tribunal President: Did you know Alim Jhon?

Detainee: No, I did not know that person.

Tribunal President: So someone told you in Kyrgyzstan to meet with Alim Jhon?

ISN#201
Enclosure (3)
Page 9 of 13

UNCLASSIFIED//FOUO

002617

UNCLASSIFIED//FOUO

Detainee: The person told me from Turkistan. I want to make sure everything is clear here. I got the phone number from Turkistan. Someone gave me a phone number in Turkistan. They told me when you come to Pakistan, call this person. That person will come and pick you up. Then I went to Pakistan and called that person and he showed up. And then I found out his name was Alim Jhon. But I have no knowledge about that person.

Tribunal President: Who is the person in Kyrgyzstan?

Detainee: When I came to Kyrgyzstan, the people look at your face and they will recognize you're a foreigner. Then the person asks me if I was looking for a motel or someplace to stay. And there is a person that told me the place. It is like an apartment or something, then you can stay there. He got my trust, then I followed him and I went to that place. I told those Uighurs, I explained exactly what I wanted. I wanted to do some business, I wanted to go somewhere to live in peace, and then they told me that if you go to Pakistan, it would be better. That's why I went to Pakistan.

Tribunal President: So was there someone assisting you with your travel from your country to Pakistan and then into Afghanistan?

Detainee: When I left my country nobody assisted me. When I came to Pakistan and Afghanistan, then I realized that all these people led me wrong, led me this way to Afghanistan. My first goal was I wanted to go somewhere, a place to live and do some business.

Tribunal President: How did you travel from your country to Pakistan and then to Afghanistan? By plane? By car?

Detainee: From my country to Kyrgyzstan I traveled with a car. Then from Kyrgyzstan to Pakistan I flew.

Tribunal President: And who paid for that trip?

Detainee: I spent my own money.

Tribunal President: What types of business were planning to go into when you arrived in Afghanistan?

Detainee: When I came to Afghanistan, they showed me the store and the market, because I came here to do some business. Then it was some kind of grocery store business, like some kind of Chinese goods or things most people usually use for their personal life, for the house or this kind of stuff.

Tribunal President: Where were you and family staying in Kabul? Was it a house? Was it an apartment? A guesthouse?

UNCLASSIFIED//FOUO

Detainee: It was a big house. There was a front yard and a backyard. Then, when my family arrived, these people gave me a job typing, and then they prepared the house for my family and for me.

Tribunal President: So originally you were staying in a house or an apartment?

Detainee: There was one room that belonged to those publishing people.

Tribunal President: Earlier, you discussed that bombing had started in Kabul. Why did you not go back for your family then?

Detainee: That's why I was trying to get back, I wanted to get my family, and on the way I was captured.

Tribunal President: Why did you choose Kabul to live?

Detainee: Because that person gave me the address to Kabul, then I went there. Then I started working, doing the typing and I stayed with that job.

Tribunal President: So Kabul was a place that was recommended to you?

Detainee: They did not recommend anything. They just gave me the address. I followed the address and I ended up in that place.

Tribunal President: Did you know anybody in Afghanistan before you moved there?

Detainee: No.

Tribunal President: You said you left your country for independence. Was it your intention to go back to your country at one point or another?

Detainee: I can't say clearly about this, because if I find a place to stay and I can do the business, then I would stay there. If it does not work for me, I might go back to my home country.

Tribunal President: If you were released from here, would you like to go back to your country?

Detainee: No.

Tribunal President: Why not?

Detainee: Because I left that country. There is one reason. I have been tortured by the pressure from the Chinese government. We do not have freedom, nothing. Now, a lot of

ISN#201
Enclosure (3)
Page 11 of 13

UNCLASSIFIED//FOUO

UNCLASSIFIED//FOUO

pressure, a lot of bad things are happening in my home country. I have been here 2 years now. I don't know what is going on all over the world and I have no idea. Also, the Chinese delegation comes here, they also accuse me of being an Al Qaida fighter or other kinds of blame. If I go back to my home country, I'm pretty sure they will kill me. Even if they don't kill me, they will never let me go. Lots of bad things. The government is torturing a lot of people.

Tribunal President: You indicated at one point the reason you wanted to received some of the training on the AK-47, the Kalashnikov, was that you could learn to fight against your country.

Detainee: Yes, if I stayed abroad. If something happened in China against the government, then I will go back to fight against the Chinese government.

Tribunal President: I don't have any other questions. Do any of the Tribunal members have questions?

Members: No, ma'am.

Tribunal President: Personal Representative, do you have any questions or comments?

Personal Representative: I have no further questions or comments ma'am.

Recorder: No, ma'am.

Tribunal President: Ahmad, does that conclude your statement or any comments?

Detainee: I want to mention one more thing. My personal story is almost all included in here now. One more thing. The Chinese invaded our country. It's been a long time. Also, me in here, and any other Uighur people in this prison, I did not know them until I got here. AH those Uighur people against the Chinese government in order to get their independence, their country's independence, and their own freedom. If that is a crime, if they are part of the Al Qaida members, if this government punishes me with the same kind of punishment with Al Qaida or other people, then I will have no problem. I will accept this punishment. This is the reason. We wanted to live free and independently like any other nation, and that's the reason they are fighting, to try to get their/our independence and our freedom back. If those people during those kind of moments try to get back our independence and country, if those people are counted as terrorists or part of Al Qaida or against the coalition or this government, then I have nothing to say. We only have one enemy in this world and we don't have any problems with any other people. We have nothing against any other country or any other people.

Tribunal President: Does that conclude your statement Ahmad?

ISN#201
Enclosure (3)
Page 12 of 13

UNCLASSIFIED//FOUO

002620

UNCLASSIFIED//FOUO

Detainee: We were hoping that we would get some kind of help from the U.S. government. In our country, we were still hoping that the U.S. government will help people who are suffering because of other people. But unfortunately, when we got here, then this government calls us Al Qaida or Taliban. We were kind of disappointed then, but we still hope the U.S. government will help us in the future.

Tribunal President: Continue.

Detainee: We are just disappointed in the U.S. government, but we are still hoping that the U.S. government will help because the U.S. government respects other people's rights.

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

ISN#201
Enclosure (3)
Page 13 of 13

UNCLASSIFIED//FOUO

00^621

UNCLASSIFIED / FOUO

The Tribunal President explained the Tribunal process, then asked the Detainee if he understood this process. The Detainee stated the following:

Detainee: What are you talking about?

Tribunal President: Do you understand why we are here?

Detainee: Yes, I understand why we are here.

Tribunal President: Do you understand that you not have to provide us any statement, but you may if you wish..

Detainee: I told them in the past that I could not bring any witnesses.

Tribunal President: I understand. If at any time during this proceeding if you have any questions, you may ask us.

The Tribunal President then requested the Detainee Election Form. It was at the time that the Detainee requested an explanation as to what the form meant.

Detainee: What does this mean when you are talking about the Election Form?

Tribunal President: I'll be happy to tell you. Your Personal Representative has provided us a form, that just tells us that you wish to be here and that you did not have any request for witnesses or documents. This is just administration so we have a complete record of this meeting.

The Recorder then submits the Unclassified Evidence to the Tribunal (Exhibit R-1), which was previously translated and given to the Detainee. The Recorder then provided a brief description of the general nature of the Unclassified Evidence.

Detainee: I wish to find out about the last weapon described. I want to know the name of that weapon, the Zukair.

Recorder: All I know is the name of the weapon was Zukair anti-aircraft weapon, that's all I know.

Detainee: I do not know that.

Tribunal President: OK. Later in the proceedings you may be able to provide us any information you wish about all these items a little later. I would like all of this to be read into the record at once, please.

The Recorder then submitted the remainder of Unclassified Evidence.

UNCLASSIFIED /FOUO

The Tribunal President then asked if the Recorder had any witnesses or further evidence. The Recorder then requested a later time to review the Classified Evidence. The Tribunal President then informed the Detainee he could submit any evidence he wished to the Tribunal

Detainee: Are you talking about the points you just discussed?

Tribunal President: Yes, I have a few more instructions first Your Personal Representative may assist you if you wish. Do you want to make a statement to this Tribunal about the Unclassified Evidence?

Detainee: Yes, I want to.

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

Detainee: I don't wish to take the oath. My statement will be true.

Tribunal President: I understand. Thank you. You may proceed.

Detainee: The fact that we have read 13 points, I would like to read them one point at a time so I could address each point

Tribunal President: I will ask the Personal Representative to assist you in that matter, and the Translator will translate all the information.

Personal Representative: (see 3.a-1.) The Detainee was trained in mountain warfare and weapons training on the Kalishnikov, PK machine gun, 75 and 82 mm heavy artillery, SPG-9 anti-tank weapon, 82 mm mortar, Zukair anti-aircraft weapon, and the RPG launcher at Khalden Camp.

Detainee: I did have the training on all the weapons mentioned with the exception of the Zukair.

Personal Representative (3.a-2) The Detainee delivered an electronic communication machine, possibly a facsimile machine, to Usama Bin Laden at the Al Qaida camp, Jihad Wali.

Detainee: I did not see Bin Laden, nor did I meet him. As far as the facsimile, I wanted to buy that facsimile for myself, and they sent an Afghani with me to buy it. That fax machine was for the Afghani guy. Somebody wanted to sell that fax machine, I showed it to a guy by the name of Abu Atta. He's the only one who has experience, and we wanted to buy it from him. That was not a fax machine, it was for interrogation. Show this machine to the guy Abu Atta, and find out from him if that was a machine that could be used (for interrogation). I took the machine to Abu Atta, and I don't know about him. I went to see this man, Abu Atta, and he told me he was busy. They said I could leave

ISN #707
Enclosure (3)
Page 2 of 7

UNCLASSIFIED / FOUO

UNCLASSIFIED / FOUO

the machine there and pick it up tomorrow. When I came back the following day, they told me that machine was not a working machine.

Personal Representative (3.a-3): The detainee corresponded with a senior al Qaida lieutenant concerning the potential closing of Khalden camp.

Detainee: What happened was this. The person in charge of this camp is the Sheik's son. He is in charge of this tribe. The second man in charge was Abu Zubayda. The rest of the trainers, we met there, and they told us we were going to close that camp. They have all the authority to do that, we just simply follow what they have to say.

Personal Representative (3.a-4) The detainee's escape from Afghanistan was facilitated by a senior al Qaida lieutenant.

Detainee: Which al Qaida member are you talking about?

Personal Representative: I don't have that information. I just know he's a senior al Qaida person.

Detainee: I don't have any association with al Qaida, and I don't know anything about that.

Personal Representative (3.a-5): The detainee was provided a Somali passport, because he had no travel documents.

Detainee: I don't have a Somali passport, I don't have a passport, I don't have anything.

Personal Representative (3.a-6): The detainee is associated with senior al Qaida personnel.

Detainee: As I previously told you, I have no knowledge of al Qaida, and I don't know anybody from there. But if you want to say that I'm Muslim and want to make-believe I belong to al Qaida, then that is something different.

Personal Representative (3.a-7): The detainee was captured in a safehouse run by a senior al Qaida lieutenant.

Detainee: As far as that point is concerned, I don't know anything about this house. What I know is that I know Abu Zubayda was the person in charge of that safehouse. He is the person that told me go to that place until he made the traveling arrangements. That's all I have to say regarding that point.

Personal Representative (3.b): The detainee supported hostilities in aid of enemy armed forces.

UNCLASSIFIED / FOUO

Detainee: Where?

Tribunal President: I would suggest that the Personal Representative read the next point, which is more specific.

Personal Representative (3.b-1): The detainee was the "70th Taliban Commander."

Detainee: Again, I don't know anything about Taliban. I never carried arms with them. I don't know nothing about Taliban. I am not even convinced of the Taliban, so how do you associate me with the Taliban?

Personal Representative^ .b-2): The detainee was involved with the Khalden camp in order to train individuals who wished to prepare to fight with the Taliban.

Detainee: The Khalden camp is a place to get training. It has nothing to do with al Qaida. People come over to that camp, train for about a month to a month and a half, then they go back to their hometown. When the person gets the training and leaves the Khalden camp, he leaves the camp for their country, and he changes his mind about the whole thing. God gives them responsibility to fight, we cannot just prevent them from doing that.

Personal Representative (3.b-3): The detainee worked as a weapons instructor on the use of the AK-47, PK and RPG at the Khalden camp.

Detainee: All I trained on was the Kalishnikov, the light weapons. I trained for a period of three months only. That three months training depends on who attended the camp. Sometimes they come, sometimes they don't. That's all I did.

Tribunal President: I'd like to clarify that point that implied he was a teacher to others of these weapons.

Detainee: As I told you, yes I did train the people. For a period of three months., .sometimes they come, sometimes they don't. I'd like to clear something for you. I'm not the only trainer there, there were other trainers as well. Not everybody that comes to the camp is trained by me.

Personal Representative (3.b-4): The Detainee provided logistics support at the Khalden training camp.

Detainee: I wish some clarification on b-4.

Tribunal President: What did you not understand?

Detainee: How is it that I provided logistics to the other people? Who are the other people, who are you referring to?

UNCLASSIFIED / FOUO

Tribunal President: Generic or general logistic support to the whole camp. This could mean providing food, providing shelter, providing weapons, clothes. Logistics is a term that is very general.

Detainee: I want to tell you something.

Tribunal President: Please.

Detainee: I used to bring the rice, and all the required food, vegetables. That's all I was doing. Sugar and other things, I would get for cost, take it to the camp or somewhere else.

Personal Representative (3.b-5): The detainee was frequently left in charge of the Khalden camp, because he was judged to be good with the people and could handle all aspects of the camp.

Detainee: As far as the camp, I did not manage it until the son of the sheik, and others with more seniority than me, who were there before me, before the Jihad. These people running that house, they ran it for a period of 5 months in his absence. And that five months could be divided among three different people that were there. That is the period of time that I spent in that house.

Personal Representative (3.b-6): The detainee stated he was in charge of the Khalden camp when the director was absent.

Detainee: I have just addressed that. Whenever the manager, was not managing it, he could select someone to manage it.

Tribunal President: Muhammed, does this conclude your statement?

Detainee: Yes.

The Tribunal President then asked the Recorder, Personal Representative and Tribunal Members if they had any further questions. One Tribunal Member then asked the following:

Board Member: Just had one clarifying question. At one point you said you don't know anything about the Taliban, and you're not even convinced of the Taliban. What do you mean by that?

Detainee: I am not convinced with their cause or with the Taliban.

Board Member: You're not convinced they even exist, or what?

UNCLASSIFIED / FOUO

Detainee: Everything that you want to do in life, you want to be convinced of what you're doing. When it comes to the Taliban, even scientists go against each other. Everybody sees it a different way. I am not convinced of the fighting, all I just came over there for was preparation, that's it.

Board Member: Was Abu Zubayda your boss, or just your friend?

Detainee: I don't know Abu Zubayda until the last times I was in that house. I know somebody was running this, but I don't know whether it was Abu Zubayda or anybody else. All I know is he is the son of the sheik or the head of that tribe.

Board Member: Abu Zubayda is the head or son of the sheik?

Detainee: No, the son of that sheik is somebody different.

Board Member: Thanks. That's all the questions I have.

Tribunal President: I have a question. Did you ever get a Somali passport?

Detainee: I don't have one.

Tribunal President: Did you ever have one while you were in Afghanistan?

Detainee: I didn't even have one before. I had a Sudanese passport. I don't have any other documentation.

Tribunal President: OK. I'd like you to clarify the purpose of the Khalden camp; and I understand it's a training camp for military equipment. I would like to know what organization founded, paid for and advertised the camp. Why is it there?

Detainee: As I told you before, this camp I don't know anything about it. AH I know it is run by big man, the sheik. And in his own way, he gets support from different people. He can contact the people that get trained there, and tell them that the camp is running into certain circumstances, that they need some money or some kind of support. Whoever has money and can help, please provide us with that money.

Tribunal President: Why did you go to the camp and become a teacher?

Detainee: I did not go over there to train; I went there to get training myself.

Tribunal President: OK. For what reason, why did you go get trained?

Detainee: It is my duty as a Muslim to learn.

Tribunal President: OK, thank you. I understand.

UNCLASSIFIED / FOUO

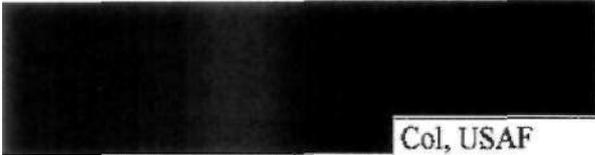
Tribunal President then asked if the board had any further questions, and asked the Detainee if he had any more evidence for the Tribunal.

Detainee: No, I do not have any other evidence.

The Tribunal President explained the remainder of the Tribunal process to the Detainee 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.

A large black rectangular redaction box covers the signature area of the Tribunal President. To the right of the redaction, the text "Col, USAF" is visible, indicating the rank and service of the signatory.

Tribunal President