

Summarized Unsworn Detainee Statement

The Tribunal President read the hearing instructions.

The Tribunal President is informed that the detainee did not wish to appear and has asked his Personal Representative to deliver a letter on his behalf to the tribunal. The detainee also wished to have letters presented to the tribunal that testified to his good nature by persons in good community standing know to him.

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 take the Muslim oath.

Personal Representative: (Reading the detainee's statement to the tribunal.) (Reference to 3.a.) I am not part of the Taliban or al Qaida. I am just a student looking to study and I have no involvement with fighting or combatant, or al Qaida, or Taliban. (Reference to 3.1.) First of all, travel to these countries is allowed in my country we can travel to these countries. Abu Had Qualid (ph.) is a popular name. How do you know that this is my mentor? It could be someone else. It is possible that there is a mistake on the name. I never saw him do any explosives or be with al Qaida. I just went to Afghanistan because I was following the news and had the urge to visit just like any other country. My intention was to stay one month but when I met my mentor I decided to stay longer to study religion. (Reference to 3.2.) No. It was a student house for students of all types. My intention was to stay there for five month and then leave. (Reference to 3.3.) Abu Had Oualid (ph.) is a popular name so it may be a case of mistaken identity. I have not seen him do any of these things personally. Besides, what does that have to do with me? (Reference to 3.4.) Yes, I gave it to a gentleman for him to bring it to a charity for orphans and mainly the poor just to take the money there. It was not for him. I heard on the news the bad conditions and needs. That's why I want to help and give them money. (Reference 3.5.) This is true. I had my legal papers. Every thing was in order and I had my passport with me. My presence in Pakistan was legal. I was captured for no reason. I was just walking in the street when they captured me. That concluded his statement.

The Personal Representative and the Recorder had no further questions.

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

AUTHENTICATION

UNCLASSIFIED//~~FOUO~~

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

UNCLASSIFIED

Detainee Testimony

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

I am not part of the Taliban or al Qaida. I am just a student looking to study and I have no involvement with fighting or combatant or al Qaida or Taliban.

1. Detainee is a citizen of Bahrain who admitted he traveled thru Malaysia, Egypt, Pakistan, and then to Afghanistan in 2001 to study with a mentor who is a known operative and member of the explosives team of al Qaeda.

First of all, travel to these countries is allowed by my country. We can travel to these countries. Abu Adwalid is a popular name. How do you know that this is my mentor, it could be someone else. It is possible that there is a mistake on the name. I never saw him do any explosive activities or be with al Qaida. I went to Afghanistan because I was following the news and had the urge to go there and visit, just like any other country. My intention originally was to stay one month but when I met my mentor, I decided to stay longer to study religion.

2. Detainee arrived in Kabul in June 2001, he then decided to stay indefinitely with his mentor in a house used by foreign fighters.

No it was a student house for students of all types. My intention was to stay there for 5 months and then leave.

3. Detainee's mentor was seen escorting soldiers to the front and promoting morale.

Abu Adwalid is a popular name, so it may be a case of mistaken identity. I haven't seen him do any of these things personally. Besides, what does that have to do with me.

4. Detainee admits that in 2001 he gave \$5000 (USD) to a man in the Taliban Embassy in Pakistan.

Yes I gave it to the gentleman for him to bring it to the charity for orphans mainly and the poor. Just to take the money there, it wasn't for him. I heard on the news the bad condition of the poor and needy, that's why I wanted to help and give them money.

5. Detainee was captured by Pakistan armed forces in the village of Cheman (next to the Pakistan Afghanistan border) while on his way to Quetta Pakistan.

This is true. I had my legal papers. Everything was in order and I had my passport with me. My presence in Pakistan was legal. I was captured for no reason. I was just walking in the street when they captured me for no reason.

Exhibit D-c

UNCLASSIFIED

The Tribunal President advised the Detainee that he would not be permitted to read classified evidence, and the following discussion ensued:

Detainee: Is it possible to see this evidence, in order to refute it?

Tribunal President: The classified information cannot be made available to you for reasons of national security. You may see the unclassified evidence.

Detainee: The past three years, through all of my interrogations, the evidence presented in the Unclassified Summary is basically a summary of what I've said in the interrogations before. The interrogators have talked and discussed every issue, big and little, that has been said. I'm not expecting there to be anything more than what is written here in the classified evidence, because the interrogators have not discussed any other evidence besides this.

Tribunal President: We don't know what might be in the classified evidence; we have yet to see it.

Detainee: I do not know what the Recorder has presented, in terms of evidence, but I do know that a lot of witnesses here, other Detainees here, are against my country. Some are Iraqis or other nationalities and may say something against me because of their dislike for my country. Some people here are crazy and not reasonable and some have talked with us Kuwaitis about the fact that they do not like our country. They may have said something against me because of that.

Tribunal President: We will take the things you have brought to our attention into consideration. We will give you an opportunity shortly to go into detail any information on the Unclassified Summary, as well as anything else you would like us to be aware of.

The Tribunal President continued reading the hearing instructions to the Detainee.

Summarized Sworn Detainee Statement

The Detainee was sworn.

- 3(a) The Detainee is an Al Qaeda and/or Taliban supporter.

This is very far from the truth and I deny it completely. I have worked with charity organizations for seven years and the Taliban had been governing Afghanistan for six years. Al Qaeda, who knows how long they've been around? Since the 90's or since the days of the Russians?

Not one day in my life had I traveled to Afghanistan, Iran or Pakistan and I never transferred even \$1.00 into the accounts of any of these people.

UNCLASSIFIED//~~FOUO~~

The Americans, the FBI and the CIA, know this. My name is not even on any of their "black lists."

The Taliban has been around for six years and enforce the (inaudible) Islamic law and they destroyed the statue of Buddha. All of this did not attract me to help them for even one day.

All of the sudden I am an Al Qaeda and/or Taliban supporter? This is something that is, quite honestly, very very far from the rest of the evidence. I did not expect this to be on here.

Regarding these points, some of them are correct, but the interrogators have altered their meanings. Some points have some words changed and some are very far from the truth. Some points have never been mentioned to me in three years. If you wish, I'll go through each point separately and elaborate on each one.

- **3(a)1 The Detainee traveled from Kuwait, through the United Arab Emirates to Bahrain, to Iran, and finally to Kabul, Afghanistan on 2 October 01.**

I did not travel to Bahrain; I traveled from Kuwait to the United Arab Emirates to Iran, and that was my final destination point.

I had seen the news, and even CNN was reporting that there were 2 million refugees that were fleeing from Afghanistan to Iran. I wanted, to my ability, to work with charity organizations, NGO's I had worked before in Zagreb, Croatia for 1 ½ years and for 5 ¼ or 6 years in Bosnia.

I will mention this more, but this is just to address why I was going to Iran.

The 2 million refugees in Iran and the million refugees in Pakistan; their situation was terrible and sad. I was very touched by this and I felt the need to help. I went to Iran to see this for myself. Those of us who work with charities do not put too much emphasis on what we hear from the media. We like to see it for ourselves; we have to see the reality of the situation. I took about 1 to 1 ½ months leave from my work, so I could briefly see what the situation was.

I did raise \$10,000 before I went there, and that is approximately 3,000 Kuwaiti Dinars. For Kuwaitis, 3000 Kuwaiti Dinars is not a large sum of money at all. About 1/3 of that amount I contributed myself and the rest of the money was from my brothers and sisters. I was very quick and

ISN# 065
Enclosure (3)
Page 2 of 24

UNCLASSIFIED//~~FOUO~~

001022

UNCLASSIFIED//~~FOUO~~

necessary because I was going to see 2 million refugees, so it wouldn't make sense to go empty handed.

I went to Iran and went to the borders and I didn't see anything. At that point, I had to make a decision, either to go in [to Afghanistan] or to go back, so I decided to go in.

The interrogators asked me why I decided to go into Afghanistan when I knew the Americans would go into this war with Afghanistan. I told them that if I had known the Americans were going to enter the war, I would not have gone in. Also, if I had known that they were not going to apply the Geneva Convention, especially to people working in charity organizations, I would not have gone in.

I always repeat this to the interrogators, a statement from the Secretary of Defense. I remember this statement very well and I'm going to say it in English. "He who thinks we will fire a couple of cruise missiles to Afghanistan is mistaken. This war is going to be a political war, an economical war, an information war and an intelligence war." They didn't say it was going to be a military effort. This was a statement that was repeated by all American officials. The Secretary of Defense said this was going to be an unconventional war.

The Americans were not stupid. They were not going to commit all their troops to go into Afghanistan to die, like the Russians and the British. The same thing was said by military analysts on the news. I saw it myself, on the news. The Americans were not going to be foolish, and that's why I made the decision, that ultimately brought me here, to go into Afghanistan to see those 2 million refugees, that apparently were not even there.

- **3(a)2 The Detainee is a member of the non-governmental organization (NGO) Kuwaiti Joint Relief Committee.**

It is true; I was a member of the Kuwaiti Joint Relief Committee from 1993 until 1999. From 1993 to mid 1994 I was in Zagreb, Croatia and from 1995 to 1999 I was in Bosnia. The Kuwaiti Joint Relief Committee didn't have anything to do with me going to Afghanistan, because in 1999 I was done with it.

- **3(a)3 The Kuwaiti Joint Relief Committee is suspected of providing funding and travel documents for mujahadin. Possible links to Al Qaeda.**

This is apparently explaining 3(a)2 and is against me, it seems. The Kuwaiti Joint Relief Committee was in Bosnia from 1993. The Americans were in Bosnia from 1995 to 1999, or until I left. They might have been

ISN# 065
Enclosure (3)
Page 3 of 24

UNCLASSIFIED//~~FOUO~~

there longer. No one ever gave this committee any trouble or said anything about their activities in Bosnia. On the contrary, the Americans would come and meet with us and with the head of the committee. We were given many thanks from the Bosnian government, the American government and the Croatian government, for the work this Joint Relief Committee was doing in Bosnia.

No one ever voiced any opposition against what we were doing until September 11th. Only after September 11th is this point being brought up.

If you look at the wording of this statement it says "suspected" or "possible." Nothing concrete. It's all speculation. Only after September 11th did it become like this. It's not normal.

- **3(a)4 The Detainee admits raising \$10,000 (USD) and transporting it to Afghanistan.**

I think I covered this in my response to 3(a), but quickly I'll go over it. Yes, I did raise \$10,000 but it was not to transport it to Afghanistan. This statement implies that I was going to meet someone in Afghanistan and is not correct.

Yes, I did raise \$10,000 but this amount is very trivial in Kuwait.

- **3(a)5 The Detainee admitted fleeing with others due to the "opposition," (Northern Alliance) taking over the city.**

This is true, but I was not with anyone else. I went by myself. I did flee, but not only because the Northern Alliance was taking over the city, but also because the residents of the city were killing Arabs.

I had my own personal interpreter with me who helped me. We were working every day from the morning until sunset. We would work all day, meeting with the poor people and the orphans.

Thank God, one day my interpreter said I shouldn't go back to the city because the Northern Alliance was either nearing the city or had already taken the city, but people inside the city were killing any Arabs in the city at the time. So, I left by myself.

Later on, I met other Arabs that were with Afghanis. They rounded us all up together. It was a very long trip to Pakistan and at that point, we surrendered ourselves at the Pakistan border. We turned ourselves in to the Pakistanis at their border.

- **3(a)6 The Detainee was listed on a document recovered in safehouse raids associated with suspected Al Qaeda in Karachi, Pakistan.**

Like I said before, this is the first time I've heard of this. None of the interrogators ever brought it up at any of the interrogations. I know the interrogators make it a point to talk about every little or big thing that comes to their attention.

So, just my name doesn't make any sense. Did you see any documents of mine? Did you see a passport? Did you see anything? Just my name? That's it? This doesn't make any sense.

What I think is that some people in Pakistan were sympathetic to our situation and leaked our names to the media. These names that were leaked to the media were taken by Arabs and brought over to our families. Maybe some of the Arabs saw my name in the media and took it so they could tell my family what was going on. Other than that, it doesn't make sense.

I asked the interrogators if they found my passport over there and they said no.

- **3(a)7 During the raid on the Karachi safehouses, armed gunmen fought with police; firearms and grenades were seized; and police and security forces were injured by gunfire.**

This item was not initially addressed by the Detainee (but see page 7 below).

- **3(a)8 The Detainee was listed on a document as being a member of the Mujahadin Brigade in Bosnia.**

The interrogators have been asking me about this for three years. One time, the interrogator had a document in his hand and was reading from it and said that I was a member of the Mujahadin Brigade in the Bosnian Army from either 1992 to 1993 or 1993 to 1994.

I answered him by asking him if he knew where I was in the year 1992. I told him I was in Nebraska and I was graduating. I graduated in May of 1992. From 1992 to 1993, I was in Kuwait, working for the Kuwait Institute for Scientific Research.

From 1993 to mid 1994 I was in Zagreb, Croatia. Of course, he became silent at that time. He asked how would the Bosnian government provide

UNCLASSIFIED//~~FOUO~~

him with this document and I told him I'd explain and I'll tell you the answer. It is a long story, but I'll tell you the short version.

I married a Bosnian woman in the end of 1994. As you know, there was a war over there at that time. When we got married it was a religious ceremony. It was a legitimate marriage but I didn't have a Bosnian citizenship at that time, so we weren't able to register the marriage with the Bosnian government. I was living in Kuwait, so I was not concerned with getting a Bosnian citizenship.

The problem was that my wife got pregnant during the war. At that time, if your wife was pregnant and you did not have a Bosnian citizenship, the child would not be legitimate. They would register the child in the mother's name, not the father's. To me, this was important.

At the same time, how could I go to Kuwait at that time to register my wife and son there? I did not have any documents or paperwork with me. The only way to register my son, legitimately with my last name, was for me to become a citizen. Now, I had to obtain a Bosnian citizenship, and I had the right to do this because I was living in Bosnia, married to a Bosnian citizen.

We got in contact with people who said they were able to finish the paperwork for us. The paperwork I requested, translated and notarized, I gave to this man. He asked for 1,500 Deutschmarks for fees or taxes and 500 Deutschmarks for his time and labor. So, I gave it to him so he could continue. At that time, thank God, I was able to get my wife and go to Kuwait.

This should all be registered somewhere. The Kuwaitis brought this over to the interrogators. This paperwork said when I left and when I came back.

I returned, once again, in 1996 and the police asked me to meet with them, after the war had ended. I went to them and they said I had the right to citizenship. At that time, I wasn't really pleased or displeased; I just didn't have any objections. I took the paper and registered, but unfortunately they gave me the citizenship through the Bosnian Army.

You can verify this. If you look at everyone who came in after the war in 1998, 1999 and 2000, that's how most got their citizenships, through the Bosnian Army. The person doing the paperwork tricked them, like he tricked me. He took the 1500 Deutschmarks that I gave him and if they do it through the Bosnian Army, he doesn't need to pay a tax or a fee.

ISN# 065
Enclosure (3)
Page 6 of 24

UNCLASSIFIED//~~FOUO~~

001025

UNCLASSIFIED//~~FOUO~~

The American government and the Bosnian government formed a committee to review these files, and I believe it was in 1999. They found that many of the people that got their citizenships at that time, got it the same way.

In truth, they never served in the Bosnian Army, but that's how they got their citizenship. It's all false certifications and that's what the interrogator was looking at when he was talking to me, saying that I was in the Mujahadin Brigade, the Bosnian Army, from 1992 to 1993.

That is false, and what proves that is that I was in Nebraska and Kuwait from 1992 to 1993. Or, I was in Zagreb, Croatia. Because I'm an Arab, it was easy for me to be registered in the Bosnian Army, in the Mujahadin Brigade. They would just take 200-500 Deutschmarks and register you under the Bosnian Army, like a bribe.

That is the truth, and I hope you take this into consideration. The Americans were in Bosnia and Kuwait and I never had any problems with them, or them against me. I was never on any "black lists," I was never wanted; no one was ever looking for me, until September 11th. But, after that, these points came up.

Personal Representative, is there something that I did not say?

Personal Representative: Point 3(a)7.

Detainee: Obviously, if point 3(a)6 is not true, then what does 3(a)7 have to do with me? In my entire life, I never went to Pakistan, not even for one day, so what do I have to do with any safehouse in Karachi? The Pakistani government must have given the Americans this information. I turned myself in on the Pakistani border between Afghanistan and Pakistan. I didn't go in or come out of Pakistan.

There's a point I was shown on the document from the White House [R-4]. What is against me in this document? I have reviewed it with my Personal Representative earlier and, thank God, neither my name nor the name of the committee I was on was on that list of names or organizations. I don't know why the Recorder presented this to the tribunal.

Tribunal President: We noted, as well, that your name and your organization were not listed here. At this point, we don't know why that other name is highlighted.

Detainee: What is in there that is against me?

Tribunal President: Classified information might link it together, but we don't know that at this point.

Detainee: I know there is nothing that links them together. Thank you for listening.

ISN# 065
Enclosure (3)
Page 7 of 24

UNCLASSIFIED//~~FOUO~~

001026

Personal Representative: Would you like to explain what those four documents [the documents the Detainee requested, but the government was not able to produce] might have said?

Detainee: Obviously, it's clear that I requested these documents because I was going to Iran for a specific purpose and was intending to return. I took leave from my job for a month to go there and come back. Obviously, I wasn't going there to stay and fight with the Taliban or help the Taliban. I went there with \$10,000.

The other thing I requested was that I have seven years experience working with charity organizations in Zagreb and in Bosnia. The Kuwaiti government brought this information over when they met me personally. They told me that they have everything on me. They asked me many questions regarding the information I requested. Where did I work? When did I work? They met with me twice.

The third thing I requested was verification that my son was in the hospital, having heart surgery, so it was imperative I returned quickly. I was going for a specific purpose, and I had given a specific date for [my son's] operation in November, so I had to return quickly.

I think that the information in these documents would help me. I have experience working with charity organizations and that was my reason for going there.

Tribunal President: We may have some questions, but for now, does this conclude your statement?

Detainee: I hope this Tribunal is a fair one. I've already been classified as an enemy combatant but from what I know of the American justice system is that a person is innocent until they are proven guilty. Right now, I'm guilty trying to prove my innocence. This is something I haven't heard of in a justice system.

I hope that you look at this evidence and my statements with a fair mind. Don't look at, or take into consideration, my appearance or my clothes. I hope that the truth is just.

Personal Representative: I just want to clarify that when the Detainee was in Nebraska, he was at the University of Nebraska.

Tribunal President: We understand. We want to remind you [Detainee] that this is a non-judicial proceeding. It is an administrative, legal proceeding. We come here with an open mind to determine if you have been properly classified as an enemy combatant.

Tribunal Members Questions to Detainee

Q: Looking at the Affidavit your family completed on your behalf, you are an engineer by trade?

A: I have a Bachelor's degree in Agriculture. In Kuwait they say Agricultural Engineering, but technically, it's not.

Q: Did you work in this field after graduating?

A: In Kuwait, yes, I worked with the Kuwaiti Institute of Scientific Research for about four months.

Q: Your primary area of concentration was with charity work?

A: My work with the Kuwaiti Institute of Scientific Research was difficult for me. I had just graduated and the work required a lot of research. Not difficult, but required a lot of work and long hours, you have to put a lot of effort into it. In 1993, the Bosnian dilemma came up. It was covered thoroughly in the media. At that time, many Kuwaiti charity organizations were working on the Bosnian issue. I wasn't working at that time; I was looking for another job. Truthfully, I was drawn to the Bosnians and the idea of charity work.

I worked in Croatia from 1993 to 1994. In 1995, I worked with the Ministry of Labor and Social Affairs. We were working with the agricultural section of that ministry.

Q: In 1993, when you first went to Croatia, was that organization already established, or did you help to establish it?

A: No, it was already established. It was in Croatia, not Bosnia and the head of the committee was already there.

Q: What duties did you have when you first started working?

A: Because I was Kuwaiti, and the head of the committee was Kuwaiti, it was the two of us working with mostly Bosnians. Our work was concentrated mostly on refugees that were coming in from Bosnia.

Q: What, specifically, were you asked to do?

A: The orphans from Bosnia were coming in to a new place, so we would meet with them. We would do many things to make them more comfortable coming into this area. Just talking with them, saying kind words, giving them food, and

paying for the houses they were staying in. We would give 50 Deutschmarks per month, per orphan. Things of that nature.

Q: You were in Croatia and then Bosnia from 1993 to 1999?

A: No, from mid 1994 until 1999 I was in Bosnia.

Q: All together.

A: All together from 1993 to 1999.

Q: What was the highest position you attained at this organization?

A: Assistant Director of this organization.

Q: So, basically, you were the #2 man there?

A: Considered as #1. There were only two of us Kuwaitis and it's a Kuwaiti organization, a Kuwaiti had to be in charge of it.

Q: That makes sense. In 1999, you finished your work with the Kuwaiti group?

A: Yes.

Q: Is it because the conflict in Bosnia ended, or because you wanted to find something else to do?

A: I was working with the Ministry of Social Affairs since 1995. In 1995, they transferred me to the Kuwaiti Joint Relief Committee, by special contract between the two organizations. The Ministry of Social Affairs and the Kuwaiti Joint Relief Committee had an administrative affair. This was an annual contract.

In 1995 the Americans came in and started helping people there, and also getting back to their own countries. So, people started working and things started moving on. There was no longer a need at that time for charity work.

So, in 1999 I finished working there. I did not renew the contract and went back to my work with the Ministry of Social Affairs.

Q: Was that your choice, or did the Kuwaiti government ask you to do that?

A: I would go to them, and if they needed me they would approve me working there, but if they didn't need me, they would not sign me.

Q: The Unclassified Summary indicates there are possible links between the Kuwaiti Committee and Al Qaeda. I gather you don't know anything about that?

A: You don't have that with you. Where did you get that information? The terrorism list that you have, that committee is not listed on there. How did you get a possible link to Al Qaeda? Where did you get that from? They don't have an office in Afghanistan.

You didn't state this, about the committee, until after September 11th. Before that, there was no problem. If the American government knew this committee had any ties to Al Qaeda, the head of the committee would be here and anyone who worked with the committee would be here.

Now, unfortunately because I was brought from Afghanistan and I'm in Cuba, they're trying to try this Kuwaiti organization to Al Qaeda and it's not just. That is not fair. I was done with this Kuwaiti Joint Relief Committee in 1999 completely. Americans never had a problem with that committee, so why do you bring that now?

Q: At this point, we don't know, but it may have something to do with this gentlemen listed on the Executive Order, Mr. Yasin Al Qadi.

A: I don't know him. He never worked with us and he's not even the head of the department. I gave you the names of the Kuwaiti government. When they came here, they brought a list of the names of the people working, and that's not one.

Q: Before today, you've never heard that name?

A: No, by God, I do not know. Today, the Personal Representative showed me the document.

Q: 3(a)5 of the Unclassified Summary says you admitted to fleeing with others due to the "opposition" taking over the city. That's Kabul?

[The Detainee nodded affirmatively.]

Q: I think the implication is, that if you referred to the Northern Alliance as the "opposition," this implies you were sympathetic to those they were fighting against.

A: Northern Alliance, "opposition," that's what the media is saying. I don't have anything to do with the words. I didn't say "opposition," the media said the "opposition" was fighting against the Taliban. That's the truth.

UNCLASSIFIED//~~FOUO~~

The Taliban was governing the country for six years. If I was concerned with them, I would have gone there, at least once.

Q: Regarding 3(a)6, where your name was supposedly on a document recovered in Karachi.

A: This is the first time I've read this. The interrogators never brought this up. Usually, when they get information, they show me so they can see my reaction is to that information. Truthfully, I don't know anything about this point.

I told you my theory about this point. Pakistanis were sympathetic to our situation, and you know what the situation was like at that time. They were leaking our names to the media so someone might get news of us to our families.

Did you find my passport or any documents? In the classified evidence, do you have anything like that? No. You didn't find that. Just a name like that? I don't have any explanation, except the one I gave you.

Q: The obvious concern is, that if this is true, then, for some reason, Al Qaeda knows who you are.

A: I don't know, like I said, this is the first time I've seen this. I don't have an explanation for that. It's just a name. If my name was known by Al Qaeda, I would have been on a "black list" and you would have known about me.

The problem is that you can write anything down and then form any explanation for it. Like 3(a)2, 3(a)3, and 3(a)4. You write down the fact, but then you form another explanation for that fact. That is not fair.

Q: The question we must answer for ourselves is, say you were not involved at all with Al Qaeda. Then, why would they care who you are?

A: Who?

Q: Senior Al Qaeda people, we presume.

A: I'm asking you a question. Since when has Al Qaeda been around? Since the 90's? Since that time, have I ever had any relationship with Al Qaeda? Have I ever transferred any money to them? You would know. The Americans would know. Did I ever go meet them in Afghanistan or Pakistan?

Just a name like that? I don't have an explanation for it, besides what I told you. This is something that I've heard from many of the Detainees here, as well.

ISN# 065
Enclosure (3)
Page 12 of 24

UNCLASSIFIED//~~FOUO~~

001031

UNCLASSIFIED//~~FOUO~~

There was a Kuwaiti Detainee here who was 16 years old. I heard he was captured in Pakistan, and as soon as he was captured, his name was leaked to the press; people called his family right away and the Kuwaiti government intervened and brought him back.

Why won't you accept my explanation for this? Honestly, I never entered Pakistan at all. I'm sure the Pakistan government brought the information to the interrogators, whether I entered or didn't enter Pakistan.

Q: In the Affidavit from your family, one of the questions asked was where you had traveled during your life. One of the responses they gave was "the countries he traveled to were the United States, Turkey, United Arab Emirates, Bosnia, Bahrain, Egypt, Saudi Arabia and Pakistan."

A: Pakistan? No.

Q: Is there, perhaps, a mistake there?

A: I was captured in Pakistan. That's exactly what happened. They contacted my family and said "your son is present in Pakistan."

Q: So, they were only referring to the fact that you were captured there?

A: That's what I think. I haven't called my family or talked to them, but that's what I think.

Q: The next part of the answer says, "In the United States, he attended university there and some vacations and in both Bosnia and Pakistan he did charity work."

A: In Pakistan? I swear to God I did not go to Pakistan.

Q: That's the only reason I thought you were there, because your family said this.

A: I think, that since they knew I was captured in Pakistan, they were trying to help me in any way. I swear I did not go to Pakistan.

Q: In 3(a)7, I think I understood you to say, you know nothing about the raid on the Karachi house, and obviously you were not there and you don't know anybody who was there.

A: Right. If I had never entered Pakistan, how would I know anything about this point? They only put down 3(a)7 because it's related to 3(a)6.

ISN# 065
Enclosure (3)
Page 13 of 24

UNCLASSIFIED//~~FOUO~~

001032

Q: In the first part of your statement, you mentioned after hearing the media reports there were 2 million refugees and you went to Iran and didn't see any refugees. Then you went from Iran to Afghanistan and that's where you found all the refugees?

A: That's the tough decision I had to make; should I go in or should I return? The decision was to go and see if there were really refugees there or not. Part of the decision was if the Iranians would allow me to proceed without any problem, then I would proceed.

At the same time, I was thinking about all the statements that were released from the Secretary of Defense and the military analysts, and from the news media.

The Americans went into Yugoslavia and captured the biggest dictator in the world, Milosevic, and people were still working. No one interfered with any charity organizations. The same thing in Bosnia; we were never subject to anything.

The fact that the Americans would not apply the Geneva Conventions to us; that they would capture us and bring us here, never did I expect this to happen. The UNHCR was there and there were other Christian organizations that were helping, and no one bothered them. I think that because I'm an Arab and I'm a Muslim, maybe that's why I'm here.

Q: So, no matter what you found in Afghanistan, whether it was better or worse than you thought, your plan was to only stay 1-½ months and then return to Kuwait?

A: When I took leave for 1 to 1 ½ months, that was just so I wouldn't be rushed. That was the longest period I would have stayed, but in reality, I expected my time in Iran to just be one to two weeks; just go in, look at the situation to see what was going on, and then return.

Q: But, you were going to distribute your funds and whatever else you had to the refugees, either directly or through some other group? How was that going to work?

A: Anyone that does charity work knows the first thing you do when you go to a country, whether it's Yugoslavia, Iran, Iraq, or any other country, the first thing you do is get permission from the government of that country to distribute whatever funds you have or to do charity work.

Truthfully, it's a matter of getting a document and permission that says that you have formed a charity organization or committee that was going to distribute the funds and that you have permission from the government to do so.

After that, it's easy. You get permission and then you go meet with the refugees and determine what they need. Do they need food? Do they need money? You talk with them and find out exactly what they need. It's an expedited form of charity. You just quickly go, and get a quick overview of what the people need.

Q: That was my next question, because you obviously know how to do this from your experience with charity work, but that seems awfully ambitious to do all that in a week.

A: What's the problem? You go meet with the government officials; you get the permission from them. That takes a day or two. After that, you meet with the refugees or the orphans, distribute money, record their names, and that shouldn't take more than a day or two. I wasn't going there to lay my head down and sleep. That's charity work. I go in the morning and I come back at night. That was my work. That's how we worked in Zagreb and Bosnia; that was our job.

Q: It is not so much an observation on you, as on the Taliban government; in the middle of fighting a war, I didn't think they'd be that efficient.

A: The important thing is just to get approval; it can be orally. You don't have to get a written statement or anything, just as long as someone doesn't present any objections to what you want to do. It doesn't need to be a big production.

Q: How far were you able to advance your plan before things got difficult?

A: First of all, I made the wrong decision that brought me here to Cuba, by entering Afghanistan. I thought the Americans would not harm me, like they did not harm the people in Yugoslavia, and that was if they even entered the war. When I entered, Americans were not there at that time. There were no Americans; there was not a war.

I got to Kabul, and two days later, the Americans started bombing. At that time, I realized that my mission would be really difficult, and I decided to leave. I had to formulate an evacuation plan when the Americans started bombing.

Q: In two days, you weren't able to accomplish a whole lot?

A: There was nothing I could do. I went to Kabul and the next day, I was trying to find a place to stay. I was explaining that I worked in charity and was looking for an official from the Taliban to get the documents signed, with the approval I needed.

I couldn't communicate very well with them, just using sign language, so the owner of the restaurant helped me. He wrote something for me, [and] got me a

taxi. I got in the taxi with the paper and went to a building where a Taliban official was.

I went to the 2nd or 3rd floor. No one spoke Arabic, just very, very basic Arabic. They saw that I was not Afghan, so they brought me to someone that spoke a little Arabic. I told him I was Kuwaiti and introduced myself. I told him I was looking for someone in the department for refugees and I wished to help the refugees.

They said that person was not there, but I could make an appointment for three days later. Who he was or where he was, I don't know. I said it wasn't a problem, but I need an interpreter to be with me. He said he'd try to find an interpreter for me.

For those two days, I couldn't really do anything. I was looking for a place to stay and looking for a translator. I was not able to do anything.

Then, the bombing happened, and that's why I couldn't do anything in those two days.

- Q: At the time of your capture, you were still considered to be an employee of the government of Kuwait?
- A: Right, with the Ministry of Social Affairs, because I had taken official leave.
- Q: You brought up the situation with the young Kuwaiti detainee who was here. You said that once the Kuwaitis found out here, they immediately intervened and he was released...
- A: Not here, not in Cuba. We heard here that he had been captured in Pakistan or somewhere else. He was either 15 or 16 years old. His name was leaked, like these names I'm telling you about and they contacted his family right away. I think his family went straight away to the Kuwaiti government.
- Q: I was wondering, if you are with the Kuwaiti government, and Kuwait is an ally of the United States, why the Kuwaitis hadn't done the same for you.
- A: I wish they had done that. We asked the Pakistanis to meet with people from the Kuwaiti embassy, but they turned us over to the Americans right away. They didn't allow us to talk to anyone. I don't know what they did. They sold us or there was an agreement. I don't know.
- Q: When you went to Croatia to do charity work, did you have interpreters set up ahead of time?

UNCLASSIFIED//~~FOUO~~

A: We had a big office there, and when I arrived the office was already established. We had many employees working there at that time. They were officially registered with the government; everything was done already.

Q: You knew there would be interpreters ahead of time and it wouldn't be a problem?

A: Yes, the met me officially and introduced me to everyone. At that time I was a volunteer, not the Assistant Director.

Q: To converse in the language, there would be people to help? Or, maybe you picked up some of the language after being there for so many years.

A: No, the language was very...there were Bosnian interpreters to help us.

Q: When you went to Iran and decided that the refugees weren't in Iran, and then you decided to go to Afghanistan, how did you know where to go in Afghanistan to find some refugees to help?

A: Like I said, I was going towards the border and thought that if they let me go in, then I would go in. I was thinking that the refugees would go to the border close to Iran. I thought if they hadn't actually gone into Iran, they'd at least be close to the Iranian border.

I went to the closest village and there was nothing there at all. No refugees whatsoever.

Q: Excuse me if you said this before, but what city in Afghanistan were you in?

A: Herat. From the airport, I took a plane from Herat into Kabul.

Q: You said you stayed at the room on top of the restaurant. During your travels, was it ever required to use a safety deposit box to safeguard your money or to keep your passport? Did anyone indicate it was problematic and potentially dangerous to travel in Afghanistan?

A: Do you mean during our flight or at the place we were staying? I stayed in three different places and was kicked out of them. Every ten days or so, they'd kick me out of the house, once the bombing started.

Q: Every how many days?

A: The first house, I stayed maybe a week or ten days and was then kicked out. The Americans were bombing at that time and the residents of the house were afraid because they had an Arab in the house with them. They were afraid the

ISN# 065
Enclosure (3)
Page 17 of 24

UNCLASSIFIED//~~FOUO~~

001036

UNCLASSIFIED//~~FOUO~~

Americans would bomb the house because of that, so they decided to ask me to leave.

The second house was maybe a week or ten days. The third house, thank God, he allowed me to stay in that house.

Q: For how long?

A: Until I left.

Q: How long?

A: I don't remember, it's been three years. I don't remember how long I stayed in the house.

Q: One day or more than a week?

A: No, a long, long time. You can probably calculate it. From the time I entered Kabul and then I left Kabul when the Northern Alliance took over that city. I don't remember exactly.

Q: I realize that the amount of money you brought for charity wasn't considered a lot of money by Kuwaiti standards, but by talking with the people in the house, did they indicate that you should put the money someplace for safe keeping?

A: I kept my passport and money in the house. When I left, I'd take \$500 to \$600 at a time and go and distribute that money. First I would convert it to Afghani money and then I'd distribute it. The rest of the money and the passport were in the house. \$100 is a lot of money in Afghani currency, so you couldn't carry the whole amount with you.

Q: The money you had, it was Kuwaiti money or U.S. Dollars?

A: U.S. Dollars. Kuwaiti Dinars do not work in Afghanistan. It wouldn't be useful.

Q: I guess you had lots of \$20's and \$50's?

A: All \$100's. Also, from that money I bought my plane tickets, paid for my presence in the houses, the hotels I stayed at in Iran and the United Arab Emirates.

Q: You had your passport at the time you were detained?

A: No, it was in the house. The interrogators had asked me before why wouldn't I take my passport with me and I should take it everywhere I go. Ask any Kuwaiti

ISN# 065
Enclosure (3)
Page 18 of 24

UNCLASSIFIED//~~FOUO~~

001037

UNCLASSIFIED//~~FOUO~~

if he takes his passport with him when he travels or not. It is impossible that I would travel with Afghans and have my passport with me. If I lost it or dropped it, what would I do then? If a highway robber came up to me and took my passport and my money, what would I do then? That's the Kuwaiti mentality. Anyplace we stay, we put our passport in that place.

Q: While you were staying at the three houses, there were other people there also...

A: No there weren't others. It's not a guesthouse; it was a house I would rent.

Q: Okay, so you were never with more than yourself then?

A: No, I'm independent. I was in America, Zagreb and Bosnia by myself. I don't need anyone and I depend on myself.

Q: Did you ever make contact with the Taliban government, officially, to say you were going to distribute money?

A: I tried, but wasn't able to. They gave me an appointment three days later, but then the war happened. I knew right away that the official Taliban government buildings would be the first ones bombed, so I didn't go back.

Q: So, you decided to just pass out the money without the...

A: Yes, the war happened, and I just did it myself. I had the translator with me and as soon as the war started, I said find any way for me to get out. Truthfully, he helped me a lot.

Q: I missed the part about the translator. Where did you pick up the translator?

A: The secretary that gave me the appointment to come back, he told me he'd help me get a translator after he got off work. We went to this place and he introduced me to this person. Of course, I had to give him money. He helped me, I gave him money and he helped me a lot. He was with me the whole time until I left.

Q: Did he give you suggestions as to where you could go to provide this money?

A: Yes, he was with me and he'd tell me where to go. I didn't know anything, that's why I requested this translator. Otherwise, I would have just stayed in the house until something happened.

Q: You must have been very popular there, giving money for charity.

A: I'm sorry, there's a misunderstanding. Did you mean I was very popular or the translator was very popular?

ISN# 065
Enclosure (3)
Page 19 of 24

UNCLASSIFIED//~~FOUO~~

001068

- Q: Well, both would be popular. A man was giving out money and the translator was helping you give the money out. It would seem that people would come to you and say "I could use some money" or talk to the translator to say there is Kuwaiti there to provide money if you need anything.
- A: It's not like we were calling out to people on a radio or a megaphone and they were all coming to us and we were giving out money. That's not the way. We would go into a house and see the situation. We'd sit down, have juice with the people and we'd give them some money and then we'd go. It was a very civilized way of doing things; not just yelling out to people.
- Q: I wasn't suggesting that was what you were doing, I was just wondering if word got out. You were there for several weeks providing this service.
- A: We weren't in the same village every day. There are many villages in Kabul and we'd be in a different village all the time.

Tribunal President's Questions to Detainee

- Q: When you crossed the Iranian border, you said you didn't see any refugees, as you would expect. You flew from Herat to Kabul. You were in Kabul for a few days because confusion started because of the bombing. Then you started to move around a little bit in an effort to help distribute funds and charity. It sounds like a month has almost already passed and the time you planned to be in Afghanistan was coming close to the end. Why didn't you make an attempt, especially after things started becoming more difficult, to return to Kuwait sooner?
- A: I told you. From the minute they started bombing, I told the translator I needed an evacuation plan and I wanted to get out as soon as possible.
- Q: Yet you delayed [by going to] several houses and were attempting to pass out charity.
- A: The translator said I couldn't just leave, just like that and take any way. The Taliban is still there and is preventing people from going outside. The villages surrounding Kabul could be with the opposition, the people opposing the Taliban. Even during the days when the Taliban was governing the country, there were still people against the Taliban. There were Shiites and Farsi speakers. He told me he had to search for the best way for me to get out. I couldn't just leave like that.

It is a very long trip from Kabul to Pakistan. I would pass villages and valleys. It's not that easy. I was looking at the same time for a place to stay. Where

UNCLASSIFIED//~~FOUO~~

would I stay? Everywhere I would go, people were kicking me out. At the same time, from the first day, I was looking for a way to get out.

Q: Did Kuwait have an embassy in Kabul?

A: I don't know.

Q: Did you try to find out if they did?

A: No, I didn't think of it.

Q: Did you try to contact your family or your employer and let them know you'd be delayed in your return?

A: Yes, in Herat and Kabul I contacted my family several times. They were scared because the war had started.

Q: So, they got word that you were going to be delayed?

A: Of course.

Q: And, your child that was scheduled for heart surgery...did your child have heart surgery?

A: Yes. They sent me a message and said thank God he's okay and they sent me pictures as well.

Q: While you were in Afghanistan?

A: No, it was in November. I don't remember if I was in Cuba. If it was in November, I was in Pakistan or Afghanistan, I'm not sure. If they did the surgery after that, I might have been in Cuba.

Q: You got word that the surgery was completed and it went well?

A: Yes.

Q: And your child is healthy today?

A: Yes.

Q: Good.

A: There are two holes in his heart, but now, thank God, he's okay.

ISN# 065
Enclosure (3)
Page 21 of 24

UNCLASSIFIED//~~FOUO~~

001040

- Q: We're certainly glad to hear that and we certainly hope his health continues to do well.
- A: Thank you.
- Q: When you turned yourself in to the Pakistan authorities at the border, what type of documents, money or items did you have in your possession?
- A: Nothing. The money I was distributing was in the house.
- Q: When you left to cross into Pakistan, you purposely left all of your money and your passport in the house?
- A: I was running for my life. What is \$4000 dollars? In a month I can make this money.
- Q: I would think it would help your effort to get home. If you had money to pay for guides, more translators, and your passport to show to the Pakistan authority to take you to the Kuwaiti embassy, it would help your chances of getting home safely.
- A: We did have money. We give it to the Afghans to help us as we were proceeding, but not all of the money. I wasn't concerned with the passport or papers because if they had taken me to the Kuwaiti embassy, they would have known I was from Kuwait. It's easy to know; they don't need a passport. I wasn't thinking that the Pakistanis would turn me over to the Americans.
- Q: You indicated that you graduated from the University of Nebraska in 1992?
- A: Yes.
- Q: Why didn't you ask for documentation from the University of Nebraska, for your graduation evidence?
- A: I didn't think it would help me. The Kuwaiti government must have brought it with them and they probably gave it to the Americans. The Americans know that I have graduated. I don't need...I didn't know this would do me any good.
- Q: But, you said your citizenship papers from Bosnia would indicate you were a member of the Bosnian Army in 1992.
- A: I didn't ask for the Bosnian citizenship or the Kuwaiti citizenship.

Q: You asked from citizenship papers for Kuwait and Bosnia. The citizenship information is needed to answer 3(a)8 on the Unclassified Summary. 3(a)8 is the Detainee is listed on a document as being a member of the Mujahadin Brigade in Bosnia, which would have been around 1992 or 1993. Is that correct?

A: No. Maybe the first Personal Representative. I asked for three things; a certificate of my work, my son's operation and my leave request from work. After two weeks, the Personal Representative met with me again and said there were some questions from the State Department he needed to ask me so you could give me these documents.

He asked me my son's name, the one going through the operation, where I worked and the address, my wife's name, and some other questions. When did you get your Bosnian and Kuwaiti citizenships? That's what happened. After four weeks, I got a new Personal Representative. I didn't request the Bosnian or Kuwaiti citizenship.

If it does me any good, I'll tell you I got the Bosnian citizenship in 1996 and I automatically got the Kuwaiti citizenship once I reached 18 years of age.

Q: I remember you saying that although you got the Bosnian citizenship, it reflected, incorrectly, that you were a member of the Bosnian Army that served in 1992 and 1993 with the Brigade.

A: It's not the actual citizenship that I requested. It was the paper that the interrogator was reading from that said I was in the Bosnian Army from 1992 to 1993. I asked him where he got the document from and he said he got it from the Bosnian government.

I explained that in 1992 and 1993 I was in Nebraska, Croatia and Kuwait. Then he became quite and I told him I'd explain how this information got to him incorrectly.

Tribunal Members Questions to Detainee

Q: You mentioned that while you were in Afghanistan, you did contact your family several times. But, in the questions that went to your family, the question was "did he tell you his reasons for going to Afghanistan?" The response was "He did not mention anything about going to Afghanistan. We have no information that he went or entered Afghanistan."

A: Who said this? Was it my family? Was it the Kuwaiti government?

Q: It was your family's response.

UNCLASSIFIED//~~FOUO~~

- A: Saying that I did not go to Afghanistan?
- Q: No, they're saying you didn't mention anything about going to Afghanistan.
- A: That's incorrect. Maybe they said this because they were trying to help me and they didn't want me to be here.
- Q: You said that before you went to Afghanistan, you did ...
- A: I mentioned it, yes. I told my wife, my mother and my sisters.

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

ISN# 065
Enclosure (3)
Page 24 of 24

UNCLASSIFIED//~~FOUO~~

00 **1044**

~~UNCLASSIFIED//FOUO~~

Although the detainee elected not to participate in the Tribunal process, as indicated on the Detainee Election Form (Exhibit D-a), he asked his Personal Representative to verbally provide information to the Tribunal. The following summarizes the Personal Representative's presentation of the detainee's information.

Personal Representative: None of the information in the unclassified summary was truthful. He was kidnapped from Pakistan, he has been tortured, and all the information he has given up prior to talking to me on 17 September 2004 was under duress.

Tribunal President: Is that statement written?

Personal Representative: No, Ma'am, that's the oral statement he gave me.

At the request of a Tribunal member taking notes, the Personal Representative repeated the above information from the detainee.

Tribunal President: When you say coming here, you mean coming to GTMO?

Personal Representative: Yes.

Tribunal Member: Did the detainee mention if he was tortured here or under duress at GTMO?

Personal Representative: He says he has been tortured since his capture. He's reported it to the International Red Cross. When the International Red Cross meets with him and asks him what the person's name was who supposedly tortured him, he answers, "How can I tell you a name if the name tags are taped over?" It's been reported to the International Red Cross. He also determined that the fact that he's in Camp 5 where the lights are on and the fans run constantly is a form of torture.

Tribunal President: Where was the torture committed?

Personal Representative: He just said up until this time.

Tribunal Member: He said he was kidnapped from Pakistan, taken to Egypt, and then brought here?

Personal Representative: Correct, and given to U.S. custody.

Tribunal President: Personal Representative, do you have any other evidence to present to this Tribunal on behalf on the detainee?

Personal Representative: No, Ma'am. I have no other evidence to present.

ISN #661
Enclosure (3)
Page 1 of 2

~~UNCLASSIFIED//FOUO~~

001045

~~UNCLASSIFIED//FOUO~~

Tribunal President: All unclassified evidence having been provided to this 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 #661
Enclosure (3)
Page 2 of 2

~~UNCLASSIFIED//FOUO~~

001046

Summarized Sworn Detainee Statement

[The Tribunal President asked if the detainee understood the CSRT process]

Detainee: Yes.

[The Tribunal President asked if the detainee had any questions concerning the Tribunal process]

Detainee: No

Detainee: The paper that my family sent, is that part of the evidence?

Tribunal President: It is additional information that has been provided to us.

[The Tribunal President asked if the detainee wanted to make a statement the detainee stated, "yes", and provided the following statement after electing to be sworn]:

I want to tell my story from the beginning. You know what happened on 11 September. Shortly after, I heard about eight million people wanted to leave Afghanistan and go to Iran. They were stuck. Iran wanted them to go inside Iran. They prayed to go to the war. The poor people were suffering and I want to give to the Aid committee. I wanted to give them money to send to the poor people. They told me no and said they didn't go there. The poor people were abused. So, I thought to myself, I have money, I have my feet, my car, I have everything. I thought of the poor there, children and old men. I thought of my family and my emotions over came me. So, I told myself I would go. I left and met a person in the Mosque. I can't think of his name.

[Tribunal Member asked the Detainee]: When you say there, do you mean Afghanistan or Iran?

Detainee: No, Kuwait. When I went to the Mosque in Kuwait I told the man I want to give. He said good and thank you. He told me to go to Iran, I think to Tabat. I went to Iran and they stamped my passport. I showed them a paper and told them I want to go to this place. I went there and showed some one the paper. They told me thank you for helping the poor people. I took \$15,000.00 dollars. He did everything; he bought them blankets and food. I was there about ten days. I took a vacation from my job. I didn't know there was a war. When I finished I wanted to go back to my country. When I got to the Iranian border, they told me no. I asked why, you stamped my passport when I came in. I told them I wanted to go to my country and they told me I was not allowed. I asked the man with me, what do we do? He told me of a place called Jalalabad. I told him okay and we went to Jalalabad. He put me in a home and he went back to the border. They told him no, I couldn't leave the country because I am Arabic. I was then moved from home to home. The problems got worse. The people there wanted to kill Arabics. I was told to be careful and don't go anywhere. I was always stuck in a small room and

ISN #228
Enclosure (3)
Page 1 of 8

never went out. They would bring me food. My passport was in my jacket pocket and I left it somewhere. They continued to move me from house to house. I continued to say that I wanted to go home and I was told I couldn't. I told them I would give them anything and told them I had children and a pregnant wife. I told them I had a good job and if I didn't get back I would lose my job. I was told not to worry and was brought two people to guide me. We left in the snow and went through the mountains. I saw death but I wanted to go home. We arrived in Pakistan and I was put in another home. Every couple of days I was moved to a different house. One night they came and got me. I asked where we were going and told them I wanted to go to my embassy. They told me okay and took me to a Mosque. There were about one hundred people at the Mosque. They started to pick ten people at a time. I was told not to worry; I would get to my embassy. I was then put in a jail and they didn't take any of my information. I was then put in a bus; there were three of them. I was put in the first bus and told not to worry I was going home. When the bus stopped, we were told to "go, go, go." I asked what was happening but no one knew. I was put in another jail and searched. Everything was taken from us. We were given no food or blankets. We heard later that many of the people on the bus behind us were killed. We were then put in a truck and we drove for about twenty hours with our hands tied. We asked why and were told to shut up and we were hit. They took us to a big jail. We were investigated and then sent to Kandahar and then to Cuba.

[The Detainee then asked if the Tribunal wanted him to address each of the charges on the unclassified summary. The Tribunal President told the Detainee if he wanted to that would be fine.]

Regarding the allegation 3. A 1. (Detainee traveled to Afghanistan, via Iran, after 11 September 2001, with approximately \$15,000 U.S. dollars.)

Detainee: About the \$15,000.00 dollars, was it clear or do you want me to tell you again?

Tribunal President: We understood from your statement, we understood what you were saying.

Regarding the allegation 3. A 2. (Detainee was captured with a Casio watch, model F-91W, a common watch used by Al-Qaeda to detonate improvised explosive devices.)

Detainee: About the Casio watch I had. When they told me that Casio's were used by Al-Qaeda and the watch was for explosives, I was shocked. We have two watches in Kuwait, Fossil and Casio. The watch shows the direction of Mecca.

[The Tribunal President asked if it had a compass.]

Detainee: Yes. It can show me from anywhere in the world. I go all over the world. I am Muslim and pray five times a day. I need it. Many people in Kuwait have this watch. It's not tied to an Al-Qaeda company is it? I swear I don't know if terrorist use it or if

they make explosives with it. If I had known that, I would have thrown it away. I'm not stupid. We have four Chaplains [at Guantanamo] all of them wear this watch. I am not Taliban or Al-Qaeda.

Regarding the allegation 3. A 3. (One of the Detainee's known aliases was on a list of captured hard drives associated with a senior Al-Qaeda member.)

Detainee: Can you tell me the name that was found in the computer?

Tribunal President: We don't have that information in the unclassified evidence. I don't know what name was in the computer at this time.

Detainee: If he put my name Adullah Kamal, I am famous at home. I play on the National Volleyball team. Why he put my name in the computer, I don't know. They don't know me I swear they don't know me. Look at me, look at the clothes I wear and how tall I am. I have a large scar on my hand. (inaudible) I would like to know the name. I go by Saliman, my son is Saliman, and there are many Salimans. The problem is the secret information, I can't defend myself. I have money, I have cars, I have my children, I have my wife and unborn children and I'm going to be Al-Qaeda? I'm not stupid and I'm going to do this against the biggest country in the world, America. When I was told I was Al-Qaeda I was shocked. They don't have any evidence against me, to put me here. I don't have a choice, God is well here, so I'll be patient. Why did they put me here like this?

Tribunal President: That's what we are here to determine.

Detainee: That is my statement, thank you.

Summarized Answers in Response to Questions by the Personal Representative

Q. What nicknames are you known by?

A. Al Saliman.

Tribunal President: And just so we understand what does that mean?

Detainee: If you call your son John, its father of John, If you call your son Smith, its father of Smith.

Tribunal President: I knew that but I wanted it for the record that what that means is, you are the father of Saliman.

Detainee: Yes my son is Saliman. We have a different culture. If he called me Abdullah, its kind of disrespectful, it's normal but not nice.

- Q. Is your name a common name in Kuwait?
- A. Yes, many Abdullah's.
- Q. You told us you have a good job, what do you normally do with your salary?
- A. I make a good salary about \$3,700. My wife works and we make about \$4,500.
- Q. Do you spend all of your money?
- A. Because of the troubles we had in the past, I try not to spend my money. I put half of my money in the bank and the other half in my home. If there is trouble at the bank I have my money at the house. If some one steals the money in my home, I have the money in the bank. I take care of my children, my father in-law, my sister and her four children. Her husband has a drug problem, so she lives in my home. When this situation happened, my emotions took over. I try to keep my money, I'm not a stupid man that gives my money away.

Summarized Answers in Response to Questions by the Tribunal Members

- Q. You're educated as an Electrical Engineer, is that correct?
- A. Assistant Engineer.
- Q. Assistant Electrical Engineer?
- A. Water and Electricity. The Ministry of Water and Electricity.
- Q. So, you know how to design and build electrical devices?
- A. That is not my Major. I am the water manager. I watch the people dig the holes and set the pipes. I make sure they are right, they are covered right and the pressure is right. I do not work with electricity only water. I am the supervisor.
- Q. Were you educated at a University for this job?
- A. Academy.
- Q. The Casio watch you had, was it in anyway altered so it would emit electrical signals?
- A. Only a battery change.
- Q. So, it couldn't transmit anything, just a regular watch?

A. If it were altered it would have been stupid to keep it.

Q. Where did you stay in Afghanistan? Can you tell me about the guesthouses you stayed at?

A. They were not guesthouses they were normal houses. I was always hiding.

Q. And you had to do this because they felt that the Pashtu hated Arabs?

A. Yes, Pashtu are Afghanis.

Q. You said you had a letter from your Imam for permission to travel, is that what that letter is for?

A. I don't understand.

Personal Representative: Whom did you get the letter from when you were looking for instructions on how to get to Afghanistan?

A. What letter?

Q. Why did you need, you said when you left Kuwait you went to your Imam at the Mosque?

A. Ahh. This was normal, the Imam doesn't know anything, he is Kuwaiti. He doesn't know about Pakistan or Afghanistan. He told me he would write me a letter. He said you go to Iran, go across the border, go to Tabat, and use the letter. I don't know Pashtu or the Iranian language.

Q. So, the letter was written in Pashtu.

A. I don't know.

Q. Did he make travel arrangements for you or did you do those yourself?

A. I did them, he is a poor man, he just gave me the letter.

Q. So, it is sort of a letter of introduction?

A. Yes.

Q. Did you ever receive military training?

A. No, I have been excused from the military because of my hand.

Q. Did you ever see any fighting in Afghanistan?

A. No.

Q. Did you ever interact with any Taliban members or Al-Qaeda?

A. No.

Q. The evidence says when you were captured you still had \$15,000 on you?

A. No I spent it.

Q. You had spent it already?

A. Yes. I spent \$13,000.00 and kept \$2,000.00 for travel. I gave it to the poor people.

Tribunal Member: You're right, I misread it. I apologize. It does say you traveled there with \$15,000.00 dollars.

Q. So, you gave \$13,000.00 to the poor people and kept \$2,000.00 to help you get back?

A. Yes.

Q. When you left Afghanistan, whom did you travel with, who were your guides, and were you in the company with some one when you went to Pakistan?

A. Two people in Afghanistan who showed me the way.

Q. Do you know who they were?

A. I gave them money and said let's go.

Q. Just the three of you traveled across the border?

A. Yes.

Q. And when you got to Pakistan were you in a group of other people or other Arabs?

A. No. Only at the Mosque.

Q. Had you heard of Al-Qaeda before you left?

A. Everybody talks about them.

Q. What is your opinion of Al-Qaeda?

A. They are terrorist, vicious.

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

A. No.

Q. Personal Representative do you have any other evidence to present to this Tribunal?

A. No.

[After the Tribunal closed and the Tribunal Members departed the room, the Detainee told his Personal Representative he forgot to say something that was very important.]

Tribunal President: The Detainee has stated he has something that he wanted to tell us, so we will reconvene the Tribunal in the unclassified session.

Detainee: I am sorry to get you back here.

Tribunal President: That's all right. It is important that you have the opportunity to tell us. We understand the importance to you.

Detainee: About when I was in Pakistan. People came and took our pictures. They took my picture and other prisoner's pictures and put them on the internet. They put us on list and said these people are Al-Qaeda and these people are Amujahadine. That is an important thing; I didn't have any choice in this. They took many pictures of me. Maybe they listed me as Al-Qaeda, but I swear I am not part of them.

Tribunal Member: So, you are saying they took you picture after you were captured and then put it on the internet and maybe that's how it got on this hard drive from there?

Detainee: Yes. I didn't believe it at first but then when I came to court and they told me my name was on the internet. I thought to myself, why did they put my name on the internet, and what name did they use?

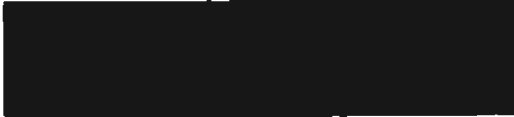
Tribunal President: Thank you for your statements and we will take them all into account. Is there anything else you would like to tell us.

Detainee: Thank you and sorry again for bringing you back.

~~UNCLASSIFIED / FOUO~~

AUTHENTICATION

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



Col. USAF

Tribunal President

ISN #228
Enclosure (3)
Page 8 of 8

~~UNCLASSIFIED / FOUO~~

001054

Summarized Sworn Detainee Statement

[When the Tribunal President described the Tribunal process to the Detainee, the Translator stated he needed a short recess. During the recess, the first Translator was replaced with another Translator for the Tribunal process. During the recess, the Tribunal President gave the Oath to the new Translator.]

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

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

Detainee: I will wait.

Tribunal President: If you have a question, you may ask it at that time.

[After the Recorder presented the Unclassified Summary and read paragraph 3.a.3: "Detainee is a close association with, and planned to travel to Pakistan with, an individual who later engaged in a suicide bombing. Bilgin possibly is the Elalanutus suicide bomber." The detainee asked the following question:

Detainee: Where are the explosives? What bombs?

[Recorder to Tribunal President:] Sir, I don't believe I can answer in this session.

Tribunal President: I certainly cannot answer because this is the first time I have seen this evidence. It is my understanding that anything remaining concerning this individual (Bilgin) is in the classified session.

Detainee: Should I answer the question now, or later?

Tribunal President: You will have an opportunity in a moment to address this in any matter you would like.

When asked by the Tribunal President if he wanted to make a statement, the detainee stated yes and provided his statement after electing to be sworn. The detainee testifies essentially as follows:

Detainee: I am here because Selcuk Bilgin had bombed somebody? I wasn't aware he had done that. My association with him is not as a terrorist. We exercised together at the gym and played sports. We both raised dogs, and because of this common interest, we became very good friends. Even though he was several years older than me, he was like a big brother. I wasn't aware he had done those things. I don't need friends like that. I am a Muslim from Germany. I didn't start praying until I was eighteen or nineteen years old. My parents are not Muslim and they don't pray. My religion is peaceful. No one

UNCLASSIFIED / ~~FOUO~~

has the right to kill anyone because they don't pray. If I were a terrorist, I wouldn't have needed to go to Pakistan. For example, if I killed people because they didn't pray, I would have started with my mother and father. They would be the first ones I would have killed, because they didn't pray. I love my mother and father more than anyone. I also have a lot of friends that don't pray. At the time I didn't pray, no one had the right to kill me because of it.

I never supported terrorists and I still don't support terrorism. I just want peace, to be a Muslim, and pray to God. That is the reason I wanted to study Islam from Jamayat Al Tabliq. Now I hear Jamayat Al Tabliq supports terrorism. I never knew that. The Muslims in Germany are peaceful people. They never talked about terrorist acts or that they support terrorism.

I have a lot of German friends that are Christians. If I supported terrorism and killing Christians, I could have done that in Germany. It would have been easier than traveling to Pakistan. My reason for going to Pakistan wasn't to kill anyone or learn about weapons, it was to study Islam. In Germany, Islam was only taught on weekends; therefore, it would take a few years to learn what would only take a month in Pakistan. Turkey and Saudi Arabia also had schools, but they also took longer. I didn't have any connections with any Muslims in Saudi Arabia. The Muslims I knew in Germany talked about the school in Pakistan. Although I didn't know them very well, I believed they studied Islam in Pakistan. That is the reason I went to Pakistan.

When I went to the school in Lahore, I asked if I could study Islam. I was told they would have to ask their leader. His name was (inaudible). I was then told that the leader wasn't in Pakistan; therefore, I couldn't talk to him. I was given a room for the night and food. The next morning, before I left, I was given breakfast. It was the day the war started in Afghanistan with the Americans.

After I left Lahore, I visited Jamayat Al Tabliq in different mosques. In one of the mosques, Mohammad helped me study Islam. He told me he would get me free food. It wasn't really free food. About five people would buy food for the ten to twenty people that were there. The next day, someone else would buy the food the next day.

I don't remember the exact date, but I was in Pakistan four or five weeks before I was put in jail. At that time, I learned a lot about the Koran and how to pray. The Pakistani's pulled me off the bus to talk to me. They told me they wanted to check my citizenship paperwork. I didn't understand what they were saying because they were talking in their native language. They ended up taking me to a room and asking me questions. A man with a turban wanted to know what I was doing in Pakistan. He had asked if I was an American or a journalist. After I told him I was a Turkish citizen living in Germany, he telephoned someone. After asking me several more questions, he took me to a room and told me to relax. I was then told I could use my plane tickets to go home. I explained to them I had a Visa. I asked them why so many questions? I didn't do anything wrong in Pakistan. They told me there wasn't any problems, they just wanted to take me to the

ISN #061
Enclosure (3)
Page 2 of 10

UNCLASSIFIED / ~~FOUO~~

001058

airport. Later that evening, I was told I had to sleep with the prisoners. I had no choice the police had guns. The next I knew I was put in chains and my eyes were covered. I was taken to a house and put in isolation for approximately one week. After I was interrogated, I was taken back to the underground jail. Later, Americans came and interrogated me. After two days, a mask was placed over my head and I was handed over to the Americans. I was put on a plane and taken somewhere. I was told it was Kandahar, but I wasn't sure. After a few months, they brought me to Cuba.

I didn't do anything wrong in Pakistan nor did I harm anyone in any country. I have never been to America, before or after 11 September. I didn't have any reason to go to Afghanistan. My Visa was issued in Germany to travel to Pakistan not Afghanistan.

(inaudible) told me Selcuk had blew up himself and someone else. I never knew about that and he had never done anything like that before. When I knew Selcuk, he was a good friend of mine. He exercised a lot; he was a nice guy. After Selcuk got married, we didn't spend much time together. He didn't go to the gym as often and I was busy studying art.

A few weeks after I started going to the Mosque to pray, I saw Selcuk at the mosque praying. I told him about my trip to Pakistan. He told me he thought going to Pakistan was a good idea and he wanted to go with me. I never knew he was a terrorist or that he thought about those kinds of things. I am not an expert in Islamic religion, but I know the Koran says if you kill yourself, you will go to hell. That is one reason why I can't support terrorism. Terrorists kill themselves and several others.

My family is in Germany. A terrorist attack could occur there anytime and my parents could be killed. I have never supported terrorism in anyway. I am smart enough to realize terrorism has nothing to do with Islam. I didn't know Jamayat Al Tabliq supported terrorism because that was never discussed and I never saw anything to indicate they did. I enjoyed living in Germany. I don't hate anyone because of his religion. I have never had problems with Christians or anyone else. Many of my German friends are Christians. We work and eat together.

I have never supported terrorism. I hate terrorist. I am here having lost a few years of my life because of Usama Bin Laden. His beliefs show Islam in the wrong way. I am not angry with Americans. Many Americans died on 11 September in the terrorist attack. I realize the Americans are trying to stop terrorism. I think it is very noble. All countries should do the same thing. Because Usama Bin Laden said he is a Muslim and he has killed many people, several Muslims were arrested. I am a Muslim, but I am not a terrorist. If I could prevent terrorism, I would. Islam is a peaceful religion. It should not be mixed up with terrorism. I don't know why Usama Bin Laden hates certain countries and other religions. Usama Bin Laden wants help from all Muslims. What he is doing has nothing to do with Islam. I am a Muslim, I am fasting, but I don't hate anyone because of his religion. There wasn't a war between America and Saudi Arabia. The

Americans have a right to defend themselves after the attack by Muslims on 11 September. I am sure 11 September had nothing to do with Islam.

I have never received any military training. The Turkish Army wanted me in the military. I didn't go. I took a few years (inaudible). I don't like the Army. I like doing different jobs. I am not a terrorist and I have never supported terrorism. If any Muslim talked to me about terrorism, I would tell them to their face it was wrong. I would do everything I could to stop them. I don't have any proof to show you, but I didn't harm or kill anyone. I didn't steal anything from anyone.

I went to study in Pakistan at the wrong time. I wasn't aware there was a war going on in Afghanistan. I heard on the news Americans wanted to stop Usama Bin Laden with special teams and mortars or something. I didn't know the war had started. When I traveled to Pakistan the war hadn't started. Even if the war was going on in Afghanistan, it had nothing to do with Pakistan. For over twenty years Turkey has been at war with the PKK. I went to Turkey several times on vacation but knew there were problems, so I returned to Germany. I never saw any fighting in Pakistan. I was nineteen when I took my trip to Pakistan. It was probably the wrong time to go. I didn't know I would get arrested because of my skin color or because I was from Germany.

I hope you will judge me on the truth. I am not an enemy combatant. If I were, I would tell you. Enemy combatants go to jail in their own country. I would be much more comfortable in jail in my country, than I am here. I won't lie just to go to jail in my country. I want my freedom back because I am not a terrorist.

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

Personal Representative: No.

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

Recorder: Yes Sir.

Summarized Answers in Response to the Recorder

Q. You said you did not know that Selcuk Bilgin was a terrorist or involved in suicide bombings. Is that correct?

A. Yes.

Q. How long were the two of you friends?

A. We have been friends since I was sixteen. We were good friends until he got married in 2000. I never knew he experimented with bombs. He never talked about it. We just

exercised and raised dogs together. While we were in Germany, he never had anything to do with explosives. If he had something to do with explosives after my arrest, I'm sure the German government was aware of it. The German government can verify I wasn't in Germany at the time.

Q. Jamayat Al Tabliq supported you in your travels to further your studies in Islam. Did you know Jamayat Al Tabliq supported terrorism?

A. You asked me two questions right?

Recorder: Beginning with the statement the Jamayat Al Tabliq supported you.

Detainee: The Jamayat Al Tabliq in Germany is not the same as it is in Pakistan. In Germany, they talked about Islam in Pakistan and how beautiful it was over there. They also talk about the big school. They didn't help me go to Pakistan, but they did tell me a lot about the school. So, I decided to go.

Q. While at the school, you were supported with food and lodging?

A. I said before, they didn't support me with food. I slept there only one night. They gave me dinner and breakfast. Everything else I paid for myself.

Q. Are you aware that Jamayat Al Tabliq was associated with or supported terrorism?

A. I didn't know anything about it. I am not saying they aren't terrorists, maybe they are, but I wasn't aware of it.

Summarized Answers in Response to Questions by the Tribunal Members

Q. When you were in Germany, did the Jamayat Al Tabliq have an Imam or a Sheik?

A. The Jamayat Al Tabliq had a mosque, it is called (inaudible) there is a Imam but he is not a (inaudible). He stayed in a mosque and sat with other groups. There are two different groups in the mosque, the Jamayat Al Tabliq and another group. (inaudible)

Q. Did that Imam have the authority to issue Fatwas?

A. That Imam was young. I don't know if he issued Fatwas or not. I sat with him many times at the mosque and talked, but I never saw him issue a Fatwa.

Q. So you never heard of a Fatwa for Jihad at any of the mosque you prayed at in Germany?

A. I didn't hear anything about it.

Q. Did the Pakistanis say why they arrested you?

A. They told me at first they just wanted to check my citizenship and they asked me a few questions. They were very nice and said they just wanted to send me back to my country. They said they were going to take me to the airport, but they didn't. They put me in isolation, before turning me over to the Americans.

Q. Did you have something on you that they didn't like? Or did they just pull you off the bus because you looked German? Is that the only reason you can think of?

A. I'm not sure. I couldn't understand them. I looked Irish. They told me they wanted to see my citizenship paperwork. I was asked if I was American or British? I told them I was Turkish, but I lived in Germany. I was then asked if I had any cameras or if I was a journalist? After that, they drove me to another place. They asked me different questions than the Americans. The Americans asked me if I was a terrorist.

Q. Did they ask you if you were al Qaida or Taliban?

A. No. The first time I was asked about al Qaida or the Taliban was by the Americans, in Pakistan.

Q. How long were you in Pakistan?

A. I went there on the third of October. I was arrested during the first days of Ramadan. I know this because I was fasting. Maybe it was the third or fourth day of Ramadan.

Tribunal President: Near the middle of November, the third week.

Q. Did you have your Visa with you when the Pakistanis captured you?

A. Yes. I had it. They may have thrown it away, but I have proof. You can ask the German government. I got my Pakistani Visa from the Pakistani Embassy in Germany. I mentioned during my arrest that my Visa was still good. They said they knew it.

Q. The Pakistanis told you they knew?

A. Yes. They told me they had my passport and citizenship paperwork.

Q. As far as you know, the Pakistanis still have it?

A. Yes.

Q. When you were back in Germany, and talking about Jamayat Al Tabliq. Did you ever become a member of that organization?

A. No, I wasn't a member. Even though I went to Pakistan, I didn't become a member. I lived with them for a few weeks in different mosques.

Q. When you got to Pakistan, they only let you stay in their school for one night?

A. It was not a school. It was a special (inaudible) protected place. When you went through the gates, the place was large. There was a mosque, a school, and a big library. I didn't study there. They just gave me a room to stay in for one night. It was a big hutta with several rooms. I went to the office to see about studying, but they told me they couldn't help me. After that, I went to the Mosque to pray. While I was there, I went to the office, the hutta and the mosque.

Q. After that, you moved on and went to different mosques around Pakistan?

A. Yes.

Q. You lived with other people and it was a communal living arrangement. One person would buy food one day and someone else would buy food the next day depending on who had money?

A. Pakistan is not an expensive country. Food is very cheap. Two or three people would buy fresh bread and other items. They would store the food until it was gone, then someone else would go buy some more. Everyone bought food.

Q. How many other guys were with you?

A. Ten, sometimes thirty. Never less than ten.

Q. You spent one night at the hotel in the school and the rest of the time

Detainee: Now I remember the name of it. Jamayat Al Tabliq School was called Mosul Center. The leaders name was Kaz A (inaudible).

Q. After that one night, the rest of the time, before being taken by the Pakistani authorities, you were moving around the country?

A. Yes, I moved to different mosques until I was arrested. I went to several mosques. I enjoyed seeing different things. I would go to the market, and I enjoyed watching what they did with the cobras. I also studied.

Q. So, you were sightseeing when you weren't studying?

A. I'm not sure what you call it. I would study some and go to the market. In Pakistan, several people who practiced Kung Fu. I saw Ninja and Kung Fu gyms. It was

interesting because I didn't get to see those things in Germany. I was only nineteen; I couldn't sit in the mosque twenty-four hours a day.

Tribunal member: I would like to talk about Mr. Bilgin for a minute:

Q. You said you were good friends for a while until he got married. You didn't see him very often?

A. Everything about him, from his clothing to his car changed. His wife was very jealous. I didn't see much of him after his marriage because he stopped going to the gym and I started studying and working. Three times a week I worked at a factory and twice a week I went to school. I didn't have much time to go home and relax. I would go from work to the gym. When I got home, it was time to go to sleep. I had to get up early the next morning. On weekends I would go to the mosque. He didn't like to work. His wife worked.

Q. How often did you see him during that time period? Once a week, once a month, or less than that?

A. Sometimes I saw him twice a week, sometimes twice a month.

Q. Just if you ran into him at the gym or something like that?

A. Sometimes at the gym. Usually if I saw him, it was at the gym.

Q. When you decided you were going to Pakistan to study, you saw him in the mosque after you made that decision and you talked to him about it?

A. Yes, I think I saw him on a Friday prayer. He had started going to the mosque to pray. He said he also made the decision to go to Pakistan to study the Koran. He didn't tell me that day, but the next day, during the weekend.

Q. Did he actually go to Pakistan with you?

A. No, I mentioned before we had dogs. Selcuk had a lot of dogs. The dogs are only loyal to their owners. If the dogs get loose in the city, they are likely to harm someone. One day, Selcuk's dogs escaped and one of them bit somebody. In Germany, if a dog bites someone, the owner is liable. I didn't know it, but Selcuk hadn't paid anything. When we were at the Frankfurt airport, passport control, the German police checked their computers and told Selcuk he had to pay the fine. I don't remember the amount he owed. Selcuk was told he had to pay it before he could leave Germany. Selcuk asked me if I had the money to pay the bill? I told him I didn't. They kept his passport and took him to another room. The police asked me if I was going to stay with Selcuk, or if I was going to leave. I said I was leaving. That was the last time I saw Selcuk. At that time, I didn't know he was involved in terrorism.

Q. Did you ever travel to Afghanistan when you were in Pakistan?

A. I never went to Afghanistan. I didn't even think about it. If I were going to Afghanistan, I would have got a Visa while I was in Germany. If you had my passport, you verify I had a two month Visa for Pakistan. I didn't have a Visa for Afghanistan.

Q. How long did you intend to stay in Pakistan?

A. When I left Germany, I planned on staying a month, or maybe a little longer. Since things with the school didn't work out in Pakistan, it took a bit longer. I was there for about four or five weeks. I was planning on returning to Germany because I had gotten married in Turkey, and I wanted to take my wife to Germany for another ceremony.

Tribunal President: You got there on the third of October, and you were detained approximately on the third or fourth day of Ramadan. That would have been about the twentieth of November. So, that was almost two months that you were in Pakistan. Ramadan started on the sixteenth of November that year.

A. I said before I don't remember the exact time. I may have made a mistake by about one or two weeks.

Tribunal President: It's okay, I understand.

[Tribunal President asked if the Detainee had any further evidence to present to the Tribunal]

Detainee: I want to know if I have to stay here, or if I can go home?

[The Tribunal President explained the process to the Detainee]

Detainee: If I go back home, I will prove that I am innocent. If I learn of any terrorist groups or plots, I will notify the German authorities to show them I don't support terrorism, so I can sleep well.

Q. Personal Representative, do you have any other evidence to present to this Tribunal?

A. No, Sir.

[The Tribunal was reconvened by the President to state for the record the Translator's name and to explain the Translator had taken the Oath during the recess when he took over. The Oath was taken outside of the Tribunal room, because at the time, the press and the Detainee were in the Tribunal room.]

~~UNCLASSIFIED / FOUO~~

AUTHENTICATION

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

[REDACTED]

Col, USAF

Tribunal President

ISN #061
Enclosure (3)
Page 10 of 10

~~UNCLASSIFIED / FOUO~~

001064

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 the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.

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

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

The Personal Representative assisted the Detainee by reading each point on the Unclassified Summary of Evidence and giving the Detainee the opportunity to reply.

The Detainee stated that he would like to make a statement but did not wish to take the oath.

Personal Representative: If I may ma'am. On the 25th of October the two of us (the Personal Representative and the Detainee) met for the initial interview. The meeting lasted approximately 70 minutes. At the meeting we discussed how we would present the information to the Tribunal. We reviewed each of the four pieces evidence presented on the Unclassified Summary and I have taken written notes based upon the things that he stated. We will present the evidence by, I will review each of the points with the Detainee and he will respond to each piece of evidence and if there is anything additional to add, I will do that based upon my notes. Is that still okay with you (to Detainee)?

Detainee: Yes.

3(1) The Detainee voluntarily traveled from Saudi Arabia to Afghanistan in November 2001.

Detainee: I traveled from August until about the 29th of September that was the length of my travel. The purpose for my visit was because I was a tourist going to visit the area and visit the refuge camps.

Personal Representative: Just for clarification. Could you please tell us why did you actually go into Afghanistan?

Detainee: I did not go to Afghanistan.

Personal Representative: The evidence states that he traveled from Saudi Arabia to Afghanistan. He stated to me and he's reiterating to you that he did not go to Afghanistan. You (to the Detainee) told me you were arrested in Pakistan and as he stated the purpose of his visit was to visit refuge camps in Pakistan.

3(2) The detainee traveled and shared hotels rooms with an Afghani.

3(3) The Afghani the Detainee traveled with is a member of the Taliban Government.

Detainee: He was not Afghani. He's Iranian. I traveled with him to refuge camps in Pakistan. From Iran to Pakistan.

3(4) The Detainee was captured on 10 December 2001 on the border of Pakistan and Afghanistan.

Detainee: I did not go to any border city between Afghanistan and Pakistan. I went to a city called Chaman.

Personal Representative: Some additional notes on our meeting I would like to provide. You say that you were gone on your whole trip from your country to Pakistan for about five weeks? The man that you met was not an Afghani but was an Iranian. You told me that you met him in a store in Iran. You had no previous knowledge of this man. You got acquainted with him in the store and one time you asked him where the refuge camp was. He said he would take you there. I think you also stated that from Iran to Pakistan you did not need a Visa. In most of the five weeks you were gone were not spent in Pakistan but in Syria and Bahrain and that you not arrested you were captured. You also stated that the Pakistanis were capturing every Arab after September 11th. Ma'am, that's the best of my recollection on the notes regarding our meeting on the 25th of October.

Tribunal President: Would you like to add anything else to that or does that conclude your statement?

Detainee: No I don't.

The Tribunal President confirmed that the Personal Representative had no questions for the Detainee.

The Tribunal President confirmed that the Recorder had no questions for the Detainee.

Tribunal Members' questions

Q. Are you a citizen of Saudi Arabia?

A. Yes I am.

Q. Have you had Military training?

- A. No I did not.
- Q. What is your usual occupation in Saudi Arabia?
- A. Cleaning supervisor.
- Q. Would you please tell us how much education you've had?
- A. Ninth grade.
- Q. Did you have a Saudi passport?
- A. Yes I did.
- Q. Were you captured with that passport?
- A. The passport was not with me when I got captured.
- Q. It was not with him when he captured. Was anyone else with you when you got captured?
- A. No I was by myself.
- Q. Did you have any weapons with you at the time?
- A. No I didn't have any weapons.
- Q. Did you carry a weapon with you at anytime while you in Pakistan?
- A. No I didn't have any weapons on me.
- Q. You told us the man you traveled with was an Iranian but was he never the less a member of the Taliban government to your knowledge?
- A. No, I don't think so because I don't know him very well.
- Q. Where were you during the attacks against the United States?
- A. In the house.
- Q. In Saudi Arabia?
- A. Yes, in Saudi Arabia.
- Q. How long after the attacks before you traveled to Pakistan?
- A. I don't recall the exact date but it was sometime thereafter. My trip lasted for about one month approximately.

- Q. Explain your travel route. How did you get from Saudi Arabia to Pakistan?
- A. I went from my hometown Kohbar to Bahrain and then from Bahrain's airport to Syria. I stayed in Syria and then from I went to Iran. I stayed in Iran and then from I went Pakistan.
- Q. Did you fly, drive, take a bus, take a cab?
- A. To Bahrain I took the car. From Bahrain to Syria I took the plane. From Syria to Iran I took another plane. Then from Iran to Pakistan I used a car.
- Q. Why did you not go direct to Pakistan from Bahrain?
- A. I was touring.
- Q. I take it you were by yourself up to Iran? Did you travel by yourself?
- A. I traveled initially by myself and then I met some other people during my travel.
- Q. Other people, one, two, three?
- A. One.
- Q. Where did you meet this person?
- A. I met the guy because he was the man who was carrying the people to different locations.
- Q. Did you meet him in Syria?
- A. He was going to Syria himself.
- Q. So you met him in Bahrain?
- A. I didn't stay in Bahrain; I went to Bahrain just long enough to hop on the bus and get a taxi to get to where I was going.
- Q. When did you get together with this Iranian?
- A. In Iran.
- Q. Where in Iran?
- A. Do you want the city?
- Q. Yes.
- A. In Zahedan.

Q. Is this where you landed when you flew from Syria to Iran?

A. No. I landed in Tehran. Then from Tehran I went to Zahedan.

Q. How far away, one hour, two hour, or three hour drive?

A. I took the plane.

Q. Took a plane from Tehran to Zahedan, Iran?

A. Yes.

Q. How did you meet this man? Did you know him? Was he at the airport?

A. In the market. He had a store in the market. I went to the market and that's where I met him.

Q. What motivated you to travel to Pakistan?

A. I wanted to visit the camp, the refuge camp.

Q. Did any fatwa motivate you to go to Pakistan?

A. No.

Q. Who paid for your travels?

A. I paid it myself.

Q. What happened to your passport?

A. I lost it when I got captured.

Q. Lost prior to being captured?

A. My passport was in the car. When they captured me they asked me to get out of the car and told the taxi to takeoff.

Tribunal President questions

Q. Typically, when you stayed places during your trip you said you stayed in certain places, where did you stay? Did you stay in hotels or private homes?

A. In a hotel.

Q. You said that you were going to visit the refuge camps, was this still sight seeing or were looking for someone or were you going to provide help?

A. I went there to visit. I didn't have a lot of money but if I found out that their conditions were bad, I would help them in the future.

The Tribunal President confirmed that the Detainee had no further evidence or any additional statements to present to the Tribunal.


The Tribunal President confirmed that the Personal Representative had no further evidence or previously approved witnesses to present to the Tribunal. The Personal Representative stated that he had no further evidence but made the following statement:

Personal Representative: He had told me that he went to the camp out of curiosity to see if he could help with the return back to Saudi Arabia. I just want the record to reflect the content of our meeting. No more additional 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.


Colonel, United States Army
Tribunal President

UNCLASSIFIED / ~~FOUO~~

Summarized Unsworn Detainee Statement

The Personal Representative made the following statement on behalf of the detainee:

The Detainee will contest his enemy combatant status in the courts in January.

AUTHENTICATION

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



Col, USAF

Tribunal President

ISN #762
Enclosure (3)
Page 1 of 1

UNCLASSIFIED / ~~FOUO~~

001071

Summarized Detainee Statement

Tribunal President: Adil, you may now present any evidence you have to the Tribunal.

Detainee: I have nothing else but the letter.

Personal Representative: Right, but if you please we would like to go through the points. We talked about this earlier one by one so that the Detainee can give his side of the story.

Tribunal President: Okay.

Personal Representative: Then after that I would like to introduce and have the letter read.

Tribunal President: You will have the assistance of your Personal Representative with presenting the information. Adil, would you like to make your statement under oath?

Detainee: In Islam, we don't do this type of swearing.

Tribunal President: So that means no?

Detainee: Yes.

The Detainee elected to make an unsworn statement to the Tribunal. The Detainee testified to the Tribunal in substance as follows:

Detainee: Everything that I say now will be the truth. I will say just the truth.

Tribunal President: You may begin.

Personal Representative: As a reminder, the first letter "A" says that you are associated with Al-Qaeda.

Detainee: This is not true.

Personal Representative: 3(a)(1) says that the Detainee traveled to Afghanistan by way of Iran in late September or early October 2001.

Detainee: That is true.

Personal Representative: 3(b) says that you participated in military operations against the coalition.

Detainee: This is not true.

~~UNCLASSIFIED//FOUO~~

Personal Representative: Okay. 3(b)(1) says that you are a fighter at Tora Bora.

Detainee: This is not true.

Personal Representative: Okay, earlier you said that you had never heard of Tora Bora before this point.

Detainee: I don't know what is Tora Bora period. I heard about it from the guys here. But before that I did not know what that means, Tora Bora.

Personal Representative: Okay. And 3(b)(2) says that you were captured by Pakistani military after leaving Afghanistan.

Detainee: They did not capture me. I went and delivered myself to whatever they have there. Be it a police station or checkpoint. But I went and delivered myself. They did not capture me. I was very legal. I had my visa. I had my passport. I had all my papers to show I was legally there.

Personal Representative: Okay. In addition to this, there are two points. Please tell the Tribunal why you went to Afghanistan. The second will be the reading of the letter. Please talk in short sentences so the Translator can translate.

Detainee: Okay. Good. Can I talk now?

Tribunal President: Yes.

Detainee: My role for going to Afghanistan was to help the refugees and the poor who suffered from the war. The reason was because I saw it on the news that thousands of refugees going and leaving their country. The winter was approaching and the refugees were having very harsh times. All the newspapers and media were showing this. I did not see it with my own eyes, but I saw it on TV and in the newspaper everywhere. I want you to know that in Islam, we are encouraged; well actually it is the obligation of every Muslim to help others by doing charity work and doing whatever we can to help the poor and the needy. That year, it coincided with Ramadan period.

Personal Representative: Okay. Do you have anymore to say about the reason you went to Afghanistan?

Detainee: Nothing at all. Just what I just said. The reason was really just to help the refugees, the poor and the needy. That is all.

Tribunal President: Adil, does that conclude your statement?

ISN #060
Enclosure (3)
Page 2 of 16

~~UNCLASSIFIED//FOUO~~

001073

~~UNCLASSIFIED//FOUO~~

Detainee: I don't know. What do you want me to tell you? Do you want me to tell you something else? Do you want me to go any further on this?

Tribunal President: We will ask you questions later.

Detainee: No problem.

Tribunal President: P/R, you said you had one other thing you would like to present?

Personal Representative: Yes, Ma'am. The second part is the reading of the letter by the Translator. A letter from the Detainee's brother, which supports his story about going for an impassioned trip to help the poor.

Tribunal President: Translator, would you read the letter please.

Personal Representative: Again, as a point, the Detainee requested one particular paragraph was of most importance. The rest of the letter will be read for completeness.

Detainee: That is true. That is good.

Translator: In the name of Allah, the most compassionate and the most merciful. Dear brother Adil Kamil, Allah protects you. Greetings and peace upon you. We received your letter and we thank Allah that you are fine and in good health. We are all certain that you will be back to us soon, God willing. Everyone knows that you went there to help refugees and the poor. This is a noble act. Allah will compensate you for it and help you because of it, God willing. You mother, Wife, daughter, father, all of your brothers and sisters all say hello. Everyone is in good health and all miss seeing you. Thanks to Allah, you brother Maher, went this year to Al-Haj. Your Wife sends you her greetings and is waiting for your return impatiently. We contacted the foreign ministry of Bahrain and they are very concerned about your case and promised us to contact the American authorities to return you to your country. I am attaching to this letter a letter from your daughter, Hajin. She wrote it herself. We wanted to send it to you because she loves you so much. At the end if you need anything, please write to me. Again my greetings and those of the family. And if with Allah willing, we will see you soon in Bahrain. Your Brother, Abdel Abdullah.

Tribunal President: Does that conclude the letter?

Detainee: Yes.

ISN #060
Enclosure (3)
Page 3 of 16

~~UNCLASSIFIED//FOUO~~

001074

UNCLASSIFIED//~~FOUO~~

Tribunal President: P/R, would you like to submit the letter into evidence?

Personal Representative: Yes, Ma'am. I'd like to submit this. It will be marked as exhibit "D-B." Collectively the letter and the translation. I am handing the Tribunal President the exhibit.

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

Personal Representative: No, Ma'am. I do not.

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

Recorder: No, Ma'am.

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

Tribunal Member: Yes, Ma'am. When you traveled to Afghanistan, where in Afghanistan did you travel to?

Detainee: I went to the city of Herat. From Herat, I went to Kandahar. From Kandahar, I went to Kabul. From Kabul, I went back to Pakistan.

Tribunal Member: When you were in Afghanistan, what type, if any, people did you meet or associate with?

Detainee: I did not get what you meant by contacted. Do you mean contacted my Wife back home?

Tribunal Member: No, no. When you were in Afghanistan, the people you met and were with in Afghanistan. Who were they?

Detainee: Really I did not meet a whole lot of people. I met some Afghans and only one Arabic person.

Tribunal Member: To the best of your knowledge, none of these were Taliban or Al-Qaeda people?

Detainee: I encountered only the people in the hotel; the cab drivers; the people if I wanted to go make phone calls. That is all I met.

ISN #060
Enclosure (3)
Page 4 of 16

UNCLASSIFIED//~~FOUO~~

001075

UNCLASSIFIED//~~FOUO~~

Tribunal Member: When you traveled to Afghanistan, how did you travel? Was it by plane and how did you pay for it?

Detainee: It's simple. I went and I got my ticket from the travel agency in Bahrain. I went to Afghanistan through Iran. That's all.

Tribunal Member: So you did it all on your own accord or all yourself?

Detainee: Yes, that is true.

Tribunal Member: In the unclassified summary where it talks about the Detainee was a fighter at Tora Bora, were you in that region of Afghanistan?

Detainee: First of all, I don't know where this place is. Second of all, I really did not know Afghanistan very well. That was my first time going there. All I knew of Kabul was from the TV and the media because that is what was focused on.

Tribunal Member: When you went from Kabul to Pakistan, how did you go there and who were you with?

Detainee: I was in the hotel when Kabul fell. The owner of the hotel spoke very good Arabic. He told me that the area had become very dangerous. His advice to me was to leave and go to Pakistan. I told the owner I did not know where to go or how to get there. The owner told me that he would bring someone who could take me out in the car. That person took me in the car and on the way, I saw a lot of people and a lot of cars. Everyone was fleeing the area. I did not know where I was going, but there were lots of villages in which we stopped. We did not stop in any cities. There were all villages. We were passing through lots of villages here and there. Then the driver stopped on the road and told me just to continue this way and I would get to Pakistan. It was not a paved road, but a dirt road. So I started walking even without knowing where I was or the area and I had a briefcase with me. On my way, I met this person named Omar. He had a car. Omar had an Afghani guy who was driving the car for him. Omar saw my clothes and my features, which looked familiar to him, so he stopped. Omar asked me where I was going. I told him that I really don't know. I am just leaving. I don't know where I am going but I am headed outside to go out. Omar offered for me to go with him. I went with Omar and the Afghani driver. We went to a village. In that village, the people took care of us. They received us and we stayed there. We left that village with the knowledge and directives of the people of that village. They showed us the way and they told us the ways and the roads to get to Pakistan. This is a summary of how things happened.

ISN #060
Enclosure (3)
Page 5 of 16

UNCLASSIFIED//~~FOUO~~

001076

UNCLASSIFIED//~~FOUO~~

Tribunal Member: These folks who you traveled with or going through Pakistan with, did anyone have any weapons?

Detainee: Do you mean like the guide and the Afghani driver?

Tribunal Member: Yes.

Detainee: No, they did not have any weapons.

Tribunal Member: Did you ever have a weapon?

Detainee: No, I don't carry weapons.

Tribunal Member: When you turned yourself in to the Pakistani military, were you alone or with that group?

Detainee: No. There were three of us. Me and two other people. I said that delivering ourselves to the authorities was the best thing to do. It was our only chance. We could not go back to Afghanistan.

Tribunal Member: When did you go to Afghanistan? Before or after the September 11th, 2001 attacks in the United States?

Detainee: After. I went solely because what I saw on TV and in the media. Basically because of the situation of the refugees and what happened to the people after the war.

Tribunal Member: So had the conflict with the US already begun?

Detainee: Yes, I believe so. There was war and the refugees were leaving.

Tribunal Member: So you knew the US bombing had already started?

Detainee: Yes, I believe so because in the papers they all talked about war. On the TV also.

Tribunal Member: Are you from Bahrain? Are you a Bahraini citizen?

Detainee: Yes.

Tribunal Member: What do you do in Bahrain?

Detainee: I am an employee.

ISN #060
Enclosure (3)
Page 6 of 16

UNCLASSIFIED//~~FOUO~~

001077

UNCLASSIFIED//~~FOUO~~

Tribunal Member: Employee of what?

Detainee: I work for the Government. Do you want to know which ministry I work for?

Tribunal Member: Yes.

Detainee: I work in the Defense Ministry. I have to make it clear. I am a civilian employee with Ministry of Defense, not a military person.

Tribunal Member: Have you ever had any military training?

Detainee: No, never.

Tribunal Member: Did you receive any military training when you went to Afghanistan?

Detainee: As you know, my stay in Afghanistan did not even get to be two weeks. I did not even stay two weeks there.

Tribunal Member: So from the time you entered Afghanistan until the time that you turned yourself in; that was only two weeks?

Detainee: No. All that I know is I entered Afghanistan in very short period of time before the fall of Kabul; from what I recall. When I went to Kabul, I stayed there only a few days, then Kabul fell.

Tribunal Member: How long between the time Kabul fell and the time you turned yourself into the Pakistani authorities? How long was that?

Detainee: All that I remember was that it was the period of Ramadan. So that is why because we were fasting and we could not walk for long periods of time or things like that. That's what I really remember.

Tribunal Member: Just a few minutes ago you said you were only in Afghanistan for two weeks. So now I am confused about how long you were actually there. Can you tell me how long you were in Afghanistan?

Detainee: It is very hard for me to remember precisely because it has been three years now. All what I remember really was it was near the beginning of Ramadan. I know that for sure.

Tribunal Member: So you went to Afghanistan near the beginning of Ramadan?

Detainee: No. I went there before Ramadan. Maybe two or three weeks before Ramadan. I am not sure. But that frame of time.

ISN #060
Enclosure (3)
Page 7 of 16

UNCLASSIFIED//~~FOUO~~

001078

UNCLASSIFIED//~~FOUO~~

Tribunal Member: So you went to Afghanistan two or three weeks before Ramadan; then you turned yourself in to the Pakistani authorities about the beginning of Ramadan?

Detainee: No, that is not true. I left Kabul in the beginning of Ramadan. So how could I have surrendered at the same time?

Tribunal Member: When did you turn yourself into the Pakistani authorities? Was it during Ramadan or after Ramadan?

Detainee: At the end of Ramadan, yes a little bit after that. I remember now that we celebrated the end of the fasting in one of the villages.

Tribunal Member: Did your employer, the Bahraini Defense Minister, allow you to go to Afghanistan to help the refugees?

Detainee: I was on my vacation. I did not present any official demand for me to go help. We don't have such a thing to ask for official permission to go do things like that.

Tribunal Member: How long was your vacation?

Detainee: Two months.

Tribunal Member: Did you make arrangements with an organization in Afghanistan to help them ahead of time?

Detainee: No, I did not do any contacts before leaving with any international organization. But my intention was to go there and contact the Red Cross who is experienced in those things.

Tribunal Member: How long were you in Herat?

Detainee: I was in transition. From Iran, Herat is the closest city where there are taxicabs and drivers who transport people where they need to go.

Tribunal Member: So you came across the border in a taxi?

Detainee: Yes. The checkpoint or border point between Iran and Afghanistan.

Tribunal Member: How long were you in Herat?

Detainee: I don't remember exactly. Should have been around two days, no more than that. I just wanted to give myself a day to continue on.

ISN #060
Enclosure (3)
Page 8 of 16

UNCLASSIFIED//~~FOUO~~

000073

~~UNCLASSIFIED//FOUO~~

Tribunal Member: What did you do in Herat?

Detainee: I was trying to get in touch with some refugees, but I did not see any in that area.

Tribunal Member: Where was the Red Cross in Afghanistan?

Detainee: When I got to Kandahar I went to the hotel and I saw the office of the Red Cross. I went to their office but was told it had been closed for a few days.

Tribunal Member: Where did you stay in Herat?

Detainee: I really don't know what the name of that area is, but I believe it is in the city.

Tribunal Member: Was it a hotel or guesthouse?

Detainee: I stayed in a very small, old hotel.

Tribunal Member: Was it mostly Arabs staying there?

Detainee: I did not see any Arabs, but I saw some Afghans.

Tribunal Member: Were any of the people armed at the place you were staying?

Detainee: No. Nobody was armed.

Tribunal Member: How did you travel from Herat to Kandahar?

Detainee: I traveled on the bus that you pay. It's public bus, so anyone can take it.

Tribunal Member: Why did you go to Kandahar?

Detainee: Because I wanted to go to Kabul. The hotel manager told me that I had to go to Kandahar and from there I could get to Kabul.

Tribunal Member: How long did you stay in Kandahar?

Detainee: I really don't remember exactly, but I believe it was about a week or a little bit over.

ISN #060
Enclosure (3)
Page 9 of 16

~~UNCLASSIFIED//FOUO~~

001080

Tribunal Member: What did you do in Kandahar?

Detainee: When I got there I remember going to a communications office there. I got in touch with my family and informed them I was doing fine. When I was at the communications office, I saw a person that looked like an Arab standing nearby. I greeted the person and we started talking. It turned out this person was an Arab. He asked me my reason for coming to Afghanistan and I told him I was there to help the poor and do some good with the refugees.

Tribunal Member: So what else? Did you do anything with this person?

Detainee: Yes, yes. Remember I told you that when I went to the Red Cross office, it was closed. This person told me since I wanted to help the poor and needy, that he could show me where some of those people lived in the Kandahar area. For about two days, this person made rounds with me in his car. I transferred some money into Pakistani currency. The person was with me and I gave the poor people some money. After that, the person excused himself because he had other things to do.

Tribunal Member: What was the name of that person?

Detainee: I really don't remember but I think you have it written in my file somewhere.

Tribunal Member: I have not seen anything or your file.

Detainee: No, I gave them the name of this person before. I don't recall the name now, but I am sure I gave them this name before.

Tribunal Member: Why did you go to Kabul?

Detainee: It is the capitol of the country. Most of the organizations, offices, administrations, things like this are in the capitol city. So this was the right place for me to go.

Tribunal Member: But you just mentioned the Red Cross was in Kandahar. Why did you not just stay in Kandahar and assist the Red Cross there?

Detainee: As I told you, it was closed. Remember?

Tribunal Member: Yes, but you said it was going to open back up in a few days. Since you were there a week anyway, why didn't you just wait for a few more days for the Red Cross to open back up?

Detainee: No. I told you I was told the office had been closed for a few days. I did not know how much longer the office was going to be closed up.

~~UNCLASSIFIED//FOUO~~

Tribunal Member: Was the man that escorted you around in Kandahar to visit the poor people, was he associated or part of the Taliban or an Al-Qaeda member?

Detainee: No. I did not talk to him about this subject at all.

Tribunal Member: How did you get from Kandahar to Kabul?

Detainee: As I told you the same way with hired cars and cabs.

Tribunal Member: Where did you stay in Kabul?

Detainee: In a small hotel.

Tribunal Member: Was it an Arab hotel?

Detainee: No, it was all Afghani. The administrator was Afghani. The people were Afghani.

Tribunal Member: Were there any people who were armed there?

Detainee: No, because this hotel was in the middle of a very busy market. Everything was right there.

Tribunal Member: What did the Red Cross say when you talked to them?

Detainee: Where?

Tribunal Member: In Kabul.

Detainee: As I told you, the administrator of the hotel spoke Arabic. Remember I told you that? The administrator told me the Red Cross office was closed there also. I told the administrator the reason I was there in Kabul was to help the refugees, poor and needy people. So the administrator offered to show me people areas outside the city where people were in need of help. Like in the suburb areas.

Tribunal Member: So did he show you those people?

Detainee: Yes, that is true. He did.

Tribunal Member: What did you do?

Detainee: I went and gave money to families living in poor small houses and things like that. Not to individuals.

ISN #060
Enclosure (3)
Page 11 of 16

~~UNCLASSIFIED//FOUO~~

001082

UNCLASSIFIED//~~FOUO~~

Tribunal Member: When you left through the mountains to Pakistan, did you see many people armed with weapons?

Detainee: No. We were going through the small villages. I saw normal, regular people, but I saw no arms or weapons.

Tribunal Member: Did you see any fighting at all in the mountain area on the way out of Afghanistan?

Detainee: No, I did see anything.

Tribunal Member: Are you a member of Al-Qaeda or the Taliban? Did you help them in any way?

Detainee: No, I did not have anything to do with them. I really don't know this Taliban or Al-Qaeda. I do not know anyone in those organizations.

Tribunal President: Why would you go to Afghanistan when you knew there was fighting there and it was dangerous?

Detainee: The area I went to, there was no fighting or war in that area. My intention was when I went, I wanted to inquire and see. If there was fighting or if it was dangerous, I was going to go back home. The area I went to first was peaceful and there was no fighting going on.

Tribunal President: But you said earlier in your statement, that the news said the US was bombing in Afghanistan. So before you left Bahrain, you said you knew there was fighting and the US was bombing.

Detainee: Yes, you are right. I knew. But I knew also that a lot of international organizations, like the Red Cross, were busy helping out. On top of that, we are obligated as Muslims to help even if it is in bad conditions. Especially other Muslims. We have to help. Afghanistan was the area that needed the most help.

Tribunal President: What was your plan? Which city did you plan to go to first?

Detainee: Where?

Tribunal President: In Afghanistan?

Detainee: It was Kabul.

ISN #060
Enclosure (3)
Page 12 of 16

UNCLASSIFIED//~~FOUO~~

001083

Tribunal President: Did you expect to spend you entire two-month vacation in Kabul?

Detainee: Yes, my vacation request was put in before I went to Afghanistan. I had a job back in Bahrain.

Translator: I don't think he understood the question. May I re-phrase it to him and ask again?

Tribunal President: Yes, please do so. Thank you.

Detainee: No, when I requested my vacation a while back I was not really planning to go to Afghanistan. I had a few things to do and take care of in Bahrain. But these problems with these things in Afghanistan just happened in coincidence. I had planned my vacation way before anything happened in the United States.

Tribunal President: The day that you left Bahrain to go to Afghanistan, was it your plan to spend the two months helping the refugees?

Detainee: No.

Tribunal President: How long did you plan to stay there to help the refugees?

Detainee: My intention was to stay two or three weeks and then come back to Bahrain.

Tribunal President: Did you ever work for the Red Cross?

Detainee: No. I was a volunteer in a humanitarian organization for a short period of time.

Tribunal President: Do you remember the name of the organization?

Detainee: It's called A-L-A-S-L-A-H organization. It is very well known in Bahrain for helping the poor.

Tribunal President: That is an organization that is founded in Bahrain, but goes out to other countries to help?

Detainee: No. All the work of this organization was in Bahrain. It did not help outside of Bahrain.

Tribunal President: So the work that you did with this organization, was it in Bahrain or Afghanistan?

Detainee: It was in Bahrain.

UNCLASSIFIED//~~FOUO~~

Tribunal President: In your statement, you said that you were given money to give to the poor. Who gave you the money?

Detainee: No, that was my money. I have to give it as an azakat.

Translator: I think I need to explain what azakat is so that you understand.

Tribunal President: Yes, please do. Thank you.

Translator: Azakat in Islam is every year during Ramadan, if you have money on top of the taxes you pay; you are obligated to give the money to the needy and the poor. Everybody gives that money, every year. The more you give, the more God will quadruple that for you. So Muslims are encouraged and eager to give a lot of money every year.

Tribunal President: Okay. Thank you. How much money did you give?

Detainee: It was about twenty five hundred Bahraini dinars.

Tribunal President: Translator, can you please translate to the Detainee what you explain to me earlier about the money.

Translator: Speaking in Arabic to Detainee about his explanation of azakat.

Detainee: That is true what he said, but some people try to put a percentage of their money. Usually it comes to exactly two and a half percent of all your net worth.

Tribunal President: Did you give money to an organization?

Detainee: No. I did not.

Tribunal President: Only to the poor?

Detainee: Yes.

Tribunal President: How were to the poor all identified to you? Were they in one location? Were they in a church or a particular place?

Detainee: As I told you before, I met the Arabic person and he took me around in his car. We went to house of people that needed help. That was how I did it.

ISN #060
Enclosure (3)
Page 14 of 16

UNCLASSIFIED//~~FOUO~~

1101085

Tribunal President: Okay.

Detainee: In Kabul, the manager of the hotel took me around too. Remember I told you that earlier. That is how I did the same thing.

Tribunal President: Did you provide money to refugees in other city other than Kabul?

Detainee: I went only to Kabul and Kandahar. Those were the only place I know.

Tribunal President: You gave money to refugees in Kandahar?

Detainee: As I told you, remember I gave only to the poor. I did not see any refugees in Kandahar area. If you remember, I told you that. So I maybe gave to the poor, but I did not see any refugees.

Tribunal President: So you gave money to the poor in Kandahar?

Detainee: Yes.

Tribunal President: Does any of the other Tribunal members have any other questions.

Tribunal Members: No, Ma'am.

Tribunal President: Adil, do you have any other evidence to present to this Tribunal?

Detainee: I don't have any other proof or evidence. All what I have is my biography. Everybody knows me in Bahrain. I am a very correct person. I have never had any problems with the Government or anything.

Tribunal President: Anything else?

Detainee: I have no proof. I have been here for two years. I don't have anything.

Tribunal President: Personal Representative, do you have any other evidence or does the Detainee have any previously approved witnesses to present to the Tribunal?

Personal Representative: No, Ma'am.

~~UNCLASSIFIED//FOUO~~

Tribunal President: All unclassified evidence having been provided to this 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.



COL, US Army
Tribunal President

ISN #060
Enclosure (3)
Page 16 of 16

~~UNCLASSIFIED//FOUO~~

1086A

In the name of Allah, the most compassionate,
the most merciful. ①

Dear brother Adel Kamel Allah protect you,
greetings and peace upon you.

We received your letter and we thanked Allah
that you are fine and in good health.

We are all certain that you will be back to us
soon God willing.

Everyone knows that you went there to help
the refugees and the poor, and this is a noble
act Allah will compensate you for it and
help you because of it, God willing.

Your mother, wife, daughter, ~~father~~, all your
brothers and sisters all say hello, and
everyone is in good health and all miss
seeing you.

Thank to Allah your brother ^{Maher} ~~was~~ went
this year to al-Haj.

Your wife sends her greetings and is waiting
for your return impatiently.

EXHIBIT D-B

1067

(2)
We contacted the foreign ministry of Bahrain and they are very concerned about your case, and promised us to contact the American ~~authorities~~ authorities to return you to your country.

I'm attaching to this letter a letter from your ~~mother~~ ^{daughter} ~~mother~~ ^{of your} Salih she wrote it ~~herself~~ self, and we wanted to send it to you because she love you so much.

At the end if you need any thing please write to me, again my greetings and those of the family, and if with allah willing we will see you soon in Bahrain.

your brother

FN 00046

①

بسم الله الرحمن الرحيم

الشيخ جليل عبادي كحل جليله الامام
بسلام عليكم ورحمة الله وبركاته

عزيزي من اسعدني بالعرض ثقيلاً سائداً - اجيرة وكنا انك
انك بخير وبعين صافية

كلنا يقية انك ستعود لينا في زمرة قريب جداً
ان شاء الله

الجميع يعلم انك في حبسك في حبسك
واللاعبة لغير ادمه لعلنا على شرفيت بجانبك ان
صراً وصالحاً من اهلنا ان شاء الله

والله انك من جليلك وانك وأولادك وجميع اولادك
واعوانك وبنوك وبناتك لسلامهم وهم جميعاً وجميع
ولا تتركهم سواك

المجتمعة لك في حبسك انك عامر في حبسك



1088A

FN00046

(C)

1088B

زیر صفت شامل خلیات کثیراً و متشکل و حود خندان
بجای رخ لاجرم

لشکر خندان بالذات بهال و بوزارت خاندانیه من لاجرم و علم
سرتیور جو خوندک و قوه منازک رسیده بدین حال
بالمدخلات لاجرم که همه اهل اعلامند یکی عو خندان

آنچه در دست خندان رسیده رساله من اینست که
میتونه کثیرا و نسیما صاحب دست عطف افانند لاجرم
درکلیف درینا قیامد کلاسه

من بختام افان اردت اف سینه ار جو دکانه
در عو خندان خیمه قیامد رساله من بجمع بدخل من
مشاو الکف من سفلیتس ترسیب من بترسیه

آهوند

بجای رساله کثیرا و نسیما

FN 00046

①

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الذبح الجزيل صادق الحق صفة الامانة
بسلام عليكم من الله المستور من سائر الناس

عزيت من لسانك وادخل تقينا سائداً بصيرة وكدنا المنة
انك خير وبعيد صفة

كلنا يقية انك مستود ليناك ذمت فرحيت جداً
انا محاد لانا

الجميع يعلم انك ذكيت في احوالك لسانك
اللاجه في لغز اذ صفا عداً شريفت بجائليك اهن
صياً وحصلاً من اهلنا انا محاد الله

والله من عطفك وانك وأحوالك وطلع اولئك
واعوانك بلونك لسانك من لهم ايها بجمعه وانامه
ولا تنفكهم سوى رؤيتك

المحمنة لته وحصت اني طهراني بحج صفة



1088A

FN00046

(C)

زیر صحت شمل خدمات لیکر آئیٹیکل سوئٹس
بکایسنگ ایجنسی

لڈر شمل بالڈیٹھال بھڈر آئیٹیکل سوئٹس سے لیکر پیسٹ
سویٹس، لیکر سوئٹس، سوئٹس، لیکر سوئٹس
بالڈیٹھال سے لیکر سوئٹس سے آئیٹیکل سوئٹس

آئیٹیکل سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس
بھڈر آئیٹیکل سوئٹس سے لیکر سوئٹس
لڈر سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس

میں لیکر سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس
لڈر سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس
بھڈر آئیٹیکل سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس

آئیٹیکل سوئٹس

بھڈر آئیٹیکل سوئٹس سے لیکر سوئٹس سے آئیٹیکل سوئٹس

1088B