Summarized Sworn Detainee Statement

The Tribunal President read the hearing instructions to the Detainee. The Detainee confirmed that he understood the process and had no questions.

The Tribunal President then offered the Muslim oath to the Detainee. The Tribunal President also confirmed that the Detainee had requested two witnesses, both of which were available for the Tribunal. The Detainee and both witnesses took the Muslim oath before testifying.

The Recorder read all unclassified evidence in full to the Tribunal. The Personal Representative then stated each point of unclassified evidence separately to allow the Detainee the opportunity to respond, and included previously attained statements from earlier meetings.

Tribunal President: Do you still wish to provide information to this Tribunal?

Detainee: I don't have any documentation or proof or any evidence. I'm innocent and not guilty. I was one of the people working for the Karzai government. I don't have anything with me [to prove this].

Tribunal President: We welcome your statement, and you'll be given an opportunity at this time to make that statement, then we may have questions, and we'll call your witnesses to come in and testify.

Detainee: OK.

The Tribunal President then offered the Muslim oath to the Detainee; the Recorder gave the Detainee the Muslim oath.

Personal Representative: I will read the statements, and you may respond how and when you like. *(3.a.1) The Detainee served as the governor of the Narang district while the Taliban was in power.*

Detainee: I did not work for the Taliban government, but the Karzai government as a district officer in Pashat district, not in Narang. There is no Narang district in Afghanistan; I have not heard of it.

Personal Representative: *(3.a.2) During a raid conducted on his residence 2 May 2003, the Detainee was apprehended in possession of assorted Taliban paraphernalia; items for making improvised explosives and information about military posts.*

Detainee: That does not make sense because I was a district officer for the Karzai government. I would not make trouble for myself or the government. This is not true.

There is no need for that. If they have proof, or capture or find anything with me, that would be a different issue. I would not do that.

Personal Representative: *(3.a.3) The Detainee gained experience with weapons during the Russian jihad.*

Detainee: I didn't have any training on weapons; I'm a poor man, and there is no need for me to have any weapon.

Personal Representative: *(3.b.1) The Detainee participated in military operations against the coalition. A witness observed the Detainee discussing rocket attacks on coalition forces, as well as transporting missiles.*

Detainee: If I talk about it, then where is my statement or speech? Was it recorded? I worked and supported for the government. You people work for the government; are you doing anything against the government? I would not do anything against the government.

(3.b.2.) The Detainee fired rockets at coalition forces.

Detainee: When America came to Afghanistan we were very happy because they could help our security and help us to live in peace. I still say I was working for the government, and I have a lot of respect for America.

(3.b.3) The Detainee provided weapons to the Taliban.

Detainee: This was not true because I was not in a battle, or a commander or a boss. I hated Taliban as I hated Russia. They came and robbed my house, arrested my brother in Jalalabad, and took 6 rifles from me. Then they put us in jail for one and a half months, and didn't release my brother; I don't support the Taliban.

Tribunal President (to the Detainee): Does this conclude your statement?

Detainee: I have nothing to say because I'm still saying I'm innocent. I should not be here. I shouldn't even be at this Tribunal. I'm innocent, and I don't know why I'm here. I'm requesting that I'm still innocent. I have small children at home, and I still want to support the new government. Actually, the Taliban was very oppressive. You are good people and respect human rights. Whoever sold me took money from the Americans. Whoever reported me, I'm thinking, was a friend of the government. When Americans came to my house, they said lay down on the floor. I laid down. They took me away for two days and beat me up badly. I'm still sick since that time. I'm not blaming you. The new people do not want the new government growing up. Americans hit me and beat me up so badly, I believe that I'm sexually dysfunctional. I don't know if I'll be able to sleep with my wife or not. Since that time, I'm really sick. I can't control my urination, and sometimes I put toilet paper down there so I won't wet my pants. I will not say anything if there is justice and honesty. I'll leave that up to you. I just say I'm very innocent.

Tribunal President: Very well. We will accept whatever you want to tell us today, and take it into strong consideration as we make our decision.

Detainee: Thank you very much. Thanks to all of you. This was my fault because I was working for the Karzai government. I still worry about my kids, if they go to charity, or how they survive back home. I don't know who reported me to the Americans; these are opposing the government. There's documents and evidence to show, it's obvious, that I was a district officer.

Tribunal President: Thank you for your testimony today.

Detainee: During the Taliban, I was a carpenter. I hated the Taliban as much as I hated the Russians.

Tribunal President: We may have some questions for you, but does that complete your statement at this time?

Detainee: Yes.

The Tribunal President then opened up the floor for questions of the Detainee from Tribunal Members.

Tribunal Member: Good afternoon. We appreciate your testimony, but there a few things we want to clarify, please. Have you been a carpenter all your life?

Detainee: During the Russian jihad, I was a carpenter, too.

Tribunal Member: But carpentry was the primary means of supporting you and your family?

Detainee: Yes, because I was very poor and didn't have extra land or any other business. The only thing I could do was carpentry. This is why I had a lot of cuts and bruises from working hard.

Tribunal Member: You mentioned that you were a district manager; what does a district manager do?

Detainee: Actually it was very new; there wasn't much stability at that time. As a district officer I would try to bring security to the district and peace for the people. If someone had charges against each other, I would take care of that. It was my job.

Tribunal Member: If your previous skills were as a fighter and a carpenter during the Russian jihad, how is it you were qualified to be a district officer?

Detainee: Actually I was applying for a higher position than that. We were working to bring the king back to Afghanistan. Because the sheik and Karzai came at the same time, I ended up with the job as a district officer. I didn't do jihad a lot, but my brother did. He was martyred during the jihad.

Tribunal Member: We express our regrets on the death of your brother.

Detainee: Thank you very much.

Tribunal Member: I want to return to when they raided your house, and you were there at the time. Was it both American soldiers and Afghan soldiers, or just American soldiers?

Detainee: I haven't seen any Afghan soldiers; I couldn't really see them. I was far away from them when they called my name. At my house, they found no weapons there or on me.

Tribunal Member: So you believe a personal enemy of yours is the one who accused you of being with the Taliban?

Detainee: I'm not sure; I don't know my personal enemy. I'm thinking that would be one of the members of the Taliban or HiG organization. These are the people playing games for their own benefit. They reported me to take money from the Americans. I'm thinking it was one of them.

Tribunal Member: I hope that you appreciate it's very unusual to hear that you were with the Karzai government, and that American soldiers would come in your house and beat you, if you were with the United States.

Detainee: Actually, this is not America's fault; they did not know me. Someone reported me; whoever it was, took some money, and this is why they did that and are ruining my life.

Tribunal Member: Have you ever been visited by an Afghan government delegation since you've been here?

Detainee: Yes.

Tribunal Member: Have they offered to help you in any way?

Detainee: When I saw him I got very upset; I was gritting my teeth and I couldn't control my emotions. He was asking me why I was captured if I was a district officer. I would say I don't know, and that I have the same question. When they captured me, I was a district officer. Then he told me he was here for a couple of days, and asked if I had any messages for when he goes back.

Tribunal Member: How long ago was that, if you can remember?

Detainee: I'm not sure, maybe 10-15 days ago. I asked my Personal Representative if I could see them again, but haven't had the chance.

Tribunal Member: So the visit was very recent?

Detainee: I saw my Personal Representative 15 days ago and asked him, but he hasn't gotten back yet.

Tribunal Member: You corrected the statement that there was no Narang district; where is Pashat?

Detainee: I was the counselor during the Karzai government in Pashat.

Tribunal Member: Where is Pashat?

Detainee: It belongs to the province of Kunar, in a district of Kunar.

Tribunal Member: Is it a city or a district?

Detainee: It's a city with a little bit of people; it has a bazaar. In Afghanistan, there's a lot of destruction, and a lot of places destroyed.

Tribunal Member: I noticed on the map there is a Narang city in that district.

Detainee: Maybe, but I swear I haven't heard that name.

Tribunal Member: Are you familiar with the Kunar River?

Detainee: Yes.

Tribunal Member: Lived there a long time? How long have you lived in that area (Pashat)?

Detainee: Actually in Pashat, I did my job as a district officer for 8 months. I had been living in Nowabad (phonetic).

Tribunal Member: How close is that to Pashat?

Detainee: Far away from Pashat.

Tribunal Member: Is it northeast, southwest?

Detainee: The other side of the river.

Tribunal Member: Where the sun comes up?

Detainee: It is the side of sunrise, but my house is on the side of the sunset. I think that this place is in the south.

Tribunal Member: So you've been in that area for several years now, and you worked for the district manager for 8 months, but lived in the area a lot longer?

Detainee: I didn't live there; the government sent me there.

Tribunal Member: Can you tell me anything about a camp called Derunta around there in that district?

Detainee: Derunta is in Jalalabad. It is not near Kunar.

Tribunal Member: What can you tell me about Derunta Camp?

Detainee: Are you talking about Derunta Band? I know of the band, but not the camp.

Tribunal Member: Tell me about the band?

Detainee: They were stationed for electricity.

Tribunal Member: Ever hear of an individual referred to as "Red Eye" in that area?

Detainee: No.

Tribunal President: Were you born in Afghanistan?

Detainee: Of course I was born in Afghanistan.

Tribunal President: So you've lived in Afghanistan all your life?

Detainee: I lived all my life there. When the Russians came, I went and lived at Baichina (phonetic) Camp as a refugee sometimes.

Tribunal President: When the Taliban was in control of Afghanistan, what was your means of support; what did you do for a living?

Detainee: I was a carpenter. Even the Americans probably saw my tools still in my house.

Tribunal President: Did the Taliban at any time attempt to recruit you, or request your support in any way?

Detainee: I was not that famous. Not famous enough for the Taliban to ask for support. Even if I was not an important person, someone indicated or thought I was an important person and reported me to the Americans.

Tribunal President: Well, somebody in the Karzai government considered you an important person to hire you, a carpenter, as a district manager.

Detainee: Actually, I was working with Haji Jahndat (phonetic). He was my commander when I was a district officer. Before that, security was very bad down here. Five of the people from the council were killed in the Pashat district. There were a lot of thieves, and I was there to keep the security. I wasn't very strong to think of myself as a district officer, but God helped me, and people were very happy to have me as a district officer.

Tribunal President: Why, once you were arrested, did he not come to your assistance?

Detainee: I don't know. God will help me. My children are very young kids, and maybe they are too small or scared to go and tell him.

Tribunal President: But the commander you had worked for -- surely, if one of his district officers had been arrested he would've been aware of that. If you'd have been doing a good job, and he thought you were innocent, he should've come to help you. Why did he not?

Detainee: I don't think at that time, the Americans were listening to anybody. They were only listening to the report or the document more. There was this man named Ruhalou (phonetic) who was captured, and the whole province went to try to help release him. They tried by a bail bond, but he's still in jail. People came from 4 provinces to help him, but they did not listen. One day, I had the documents proving I was working for the government. They had them here, but I don't know what they did with them. They keep asking me to cooperate, and tell whatever I know, and they're still holding me up in prison.

Tribunal Member: The two names of the people you said were captured Ruhalou and Sabralal, is that correct? Is Sabralal one of the individuals you asked to testify for you today?

Detainee: Yes.

Tribunal Member: Is the second person Ruhalou or someone else?

Detainee: I don't know them very well, but the other one is Taj Mohammed.

Tribunal Member: You said you actually have papers signed by Khan saying you were district officer?

Detainee: I was working hard, and I tried so hard; running up and down, trying to get a job with the government. I had all these documents from the internal ministry and the procedure was to become a district officer. I'm unsure where the documents are now. Karzai signed the application and assigned me as a district officer, and that document was lost in the internal ministry. So, I got another document signed by him. They still have the contract I signed.

Tribunal Member: Thank you; I have nothing further, sir.

Tribunal President: (to the Detainee) Thank you for your testimony here today. Do you have anything else for the Tribunal today?

Detainee: I have no more questions or anything to say. God be kind and help me. I'm still concerned because I was a member of the government and worked for the government. I'm very upset and I need treatment. I'm worried about my children, and I've suffered a lot of damage since I've been here.

Tribunal President: I'm sure if you make it known to the medical personnel here when making sick calls, that they'll take care of you.

Detainee: Every day they just give me a tablet. I want an X-ray of my body and to get a diagnosis of what is wrong with me.

Tribunal President: When was the last time you talked to medical personnel here at Camp Delta?

Detainee: Every morning they make rounds. They come all the time, but they just give me a tablet. I don't know English, but I tell them every day and I point at where the pain is, and I have problem urinating. I think they take it as a joke and they laugh. I am apologizing, but I think my testicle was damaged when I was beaten that time.

Tribunal President: I will instruct the Personal Representative to make a call to the medical personnel at Detainee control, to give special attention to this Detainee.

Detainee: The good thing is if they will take the X-ray of my whole body, then they'll know what is wrong with me.

Tribunal President: We'll make sure to follow-up on that. Whatever medical attention is needed, hopefully they'll be able to provide.

Detainee: Since I've come to Cuba, I've had pain. The other day the MP's or soldiers took away my pen. I had permission to have the pen with me in my room.

Tribunal President: That's beyond our authority here whether you have a pen or not, but we will make your need for medical attention known.

The Tribunal President then took a moment to allow the first of two witnesses to be brought in to the room. The Tribunal President then verified this was a witness requested by the Detainee, and requested the witness identify himself.

Tribunal President: (to Witness # 1): We require you to take the Muslim oath, and that you tell the truth today.

The Witness agreed to take the Muslim oath, and was given the oath by the Recorder.

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

Personal Representative: Yes, sir. (Now addressing Witness # 1): How do you know the Detainee?

Witness: I was a goat keeper, and he was doing the carpentry, so I saw him down there.

Personal Representative: Is there anything you want to explain, such as if you knew him well?

Witness: I know the time I was working as a goat keeper; I heard he was a carpenter. I heard later he was a district officer.

Personal Representative: Was he (the Detainee) a member of the Taliban?

Witness: During the Taliban he was doing carpentry.

Personal Representative: Do you know who he worked for?

Witness: He was working for the new government of Karzai.

Personal Representative: Have you ever known the Detainee to carry weapons?

Witness: No, I haven't seen that. Only time I've seen him I've seen the carpentry tools.

Personal Representative: (to the Tribunal): That was all the questions we discussed previously.

Witness: I told you yesterday that I knew him a long time, and he could be my witness also. Whatever I knew about him I would tell the Tribunal, and I would say the same thing to President Bush.

Tribunal Member Questions of Witness # 1

Q: Good afternoon. How long did you say you have known the Detainee?

A: About three years before jail; a total of 2-3 years, but 2 in jail.

The Detainee interrupted and stated "I was a carpenter during the time of the Taliban, so I have known the witness about 3 years." ***The Tribunal Member then continued to ask questions of the Witness.***

Q: In Afghanistan, how often did you see him (the Detainee)?

A: Maybe 4, 5 or 6 times, but I was busy with my goat keeping. Anytime I saw him he was doing carpentry work.

Q: Did you ever have any business dealings with him?

A: I was in Afghanistan; I was just a goat keeper. Here in Cuba they think I am an important person.

Q: Where did you learn your English?

A: In Cuba.

Q: So all your English came from right here?

A: I actually learned the Koran in English here.

Q: No English back in Afghanistan?

A: I couldn't even understand Pashtu words before.

The Tribunal President then took a short pause to allow for Witness # 1 to be removed, and for Witness # 2 to be brought in to the Tribunal. Once Witness # 2 was brought in, the Witness was administered the Muslim oath.

The Tribunal President then opened up the floor to questions from the Personal Representative and Tribunal Members, once he confirmed that the Detainee had no questions of the Witness.

Personal Representative (to Witness # 2): How do you know the Detainee?

Witness: When the Taliban regime fell, they lost control. I moved to the province and saw the Detainee there.

Personal Representative: Is the Detainee a member of the Taliban?

Witness: No.

Personal Representative: How do you know he was not a member of the Taliban?

Witness: In Kunar, I was against the Taliban, and I knew all the important members. What I know of him (the Detainee) is that he was not Taliban. If he was Taliban, then he wouldn't have been working in Pashat area as a district officer.

Personal Representative: Do you know who the Detainee was working for?

Witness: He was working for the Karzai government.

Personal Representative: Did he carry weapons?

Witness: I don't know. I saw him many times with no weapons; but I don't know. A district officer carries no weapons because they are civilians. In our constitution, weapons are only carried by the military.

Tribunal Member questions of Witness # 2

Q (to Witness): How long had you known the Detainee prior to Cuba?

A: After the Taliban regime fell. Since that time, I just heard his name before, but I had not seen him until the Taliban was gone.

Q: Would you have any reason to associate with him while in Afghanistan?

A: I was only hearing about him when he was coming for a business meeting, and I was going to. He (and I) were going to a council meeting.

Q: What was your occupation in Afghanistan?

A: I was working for the Karzai government, in charge of the military division.

Q: You assumed those responsibilities soon after the new government took over?

A: Yes.

Q: So it seems that if you had responsibilities like that, and he (the Detainee) did as well, there'd be occasions to see each other.

A: Our job descriptions were different. He was a civilian, and I was military.

Q: Who came here to Cuba first, you or him?

A: I did.

Q: Does your reason for being here have anything to do with him being here?

A: I do not know what reason he is here. I didn't even know he was here until I got here. I don't know what reason I am here.

Q: Would you just tell us briefly why you are here?

A: I don't know why, and I have no information about myself. Since the Taliban came, I fought against them until they left Afghanistan. I got a job after the Taliban left. When the Americans came I gave them rooms in places to live. When Americans came to see people, I made appointments for them. I went to the Americans to see them; when I talked to Americans I made times for appointments. One day, they set an appointment at 12:00. After the meeting and discussion were over, and after the meeting, out of the blue, the Americans stopped me. I don't know what my fault was except that I made the appointments for the Americans. For that reason, maybe I was captured. Other than that, I would see the Americans every day, and nothing happened. I don't know why they took me to Bagram. From Bagram, to here, I have had interrogations. I don't know what was going on, because I was happy when the Americans came, I didn't have to hide in the mountains from the Taliban anymore. I was happy for the Americans because I thought they would bring safety and security, but now look at me; it's been three years in Cuba. I don't know what my fault is. The Americans came and we were happy we would live peacefully, and live a normal life. What did we do? Actually, I'm so embarrassed of the people we fought against. They are here in Cuba, and now we are here in Cuba. Now we are in the same boat as they are. When they see us, they laugh at us. They say, there is the Karzai government and they are here too.

Q: You indicated the Detainee was a civilian, and your position came from the military? Is that a correct understanding?

A: Because he was a district manager or district officer. District officers always have a civilian rank, but I had a military rank. My job was military. I was hired from the ministry of defense, but I think now they hire from the internal ministry.

At this time, the Detainee requested a break from the Tribunal President because he needed to go to the latrine. The Tribunal President then confirmed there were no more questions of the Witness, and thanked him for his testimony. The Witness then stated the following:

Witness: I want you to take our request into consideration, because we are happy you are asking about us and reviewing our case.

The Tribunal President thanked the Witness for his testimony, and took a short recess to allow Witness # 2 to be removed, and to allow the Detainee to take a comfort break.

Tribunal President (to the Detainee): Do you have any other information you wish to present to this Tribunal?

Detainee: I don't have anything else to say. I just want your kindness in taking care of our cases. I request it be finished soon so I can go home to my family, and to work for the government, and get my job.

The Tribunal President thanked the Detainee for his testimony, and explained the rest of the Tribunal process. The Tribunal President then 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.

(b)(6)

Colonel, U.S. Marine Corps
Tribunal President

Summarized Unsworn Detainee Statement

The Tribunal President was explaining the hearing instructions to the Detainee. The Tribunal President asked the Detainee if he had any questions about the Tribunal process.

Detainee: Yes, I have a question.

Tribunal President: Go ahead.

Detainee: My question is that I am here for no reason; you should help me, because someone else gave you wrong accusations about me.

Tribunal President: We will make our determination based on all of the evidence that's available. We have come here today with an open mind. We have not seen any information about you and what your history is. We'll give you an opportunity to address the items on the unclassified summary and provide you the opportunity to tell us your story. Do you have any other questions at this time?

Detainee: I didn't go to the Samoud compound on my own will. Someone took me by force; he broke my arm and he beat on me until he took me to the compound. I didn't go of my own will.

Tribunal President: OK, we'll let you comment on the information of the unclassified evidence here shortly, but there are a couple other items I need to take care of first.

Detainee: I'd like to tell you anything I told my Personal Representative.

Tribunal President: We'll give you that opportunity here in a few minutes.

Summarized Sworn Detainee Statement

The Tribunal President instructed the Detainee that he (the Detainee) could make an oral statement and could present any evidence with the assistance of his Personal Representative.

Detainee: First of all, I was not born in Pakistan, like you mentioned. I was born and raised in Afghanistan, but I went to Pakistan.

Tribunal President: Continue.

Detainee: When I was in the Samoud compound we did not fire on the Americans. When the Americans arrived we went of our own will. We were happy to see the Americans. We went and surrendered our weapons to the Americans. When they captured me they took me to Gardez. After that they took me to Bagram. In Bagram

they mentioned these wrong accusations. But we like the Americans, we were working with the Americans and this is what I want to say. We are poor people but they took me by force. We were happy that the Americans came because we know that they are building our country. We do not want to fight against them because we are not crazy. And I have a request for you: please send me home with respect, because I did not do anything wrong. I had a Kalashnikov (AK-47) rifle plus the three magazines but the magazines did not have bullets inside and they still took me by force. Nobody fired upon the firebase in Gardez, these were wrong accusations. I don't recall somebody firing on the base. One of the things, I swear to Allah, that I did not know that these things even took place in the area. You accuse me of being caught in Pakistan. I was not captured in Pakistan, I was caught in the Samoud compound inside Afghanistan. At the time of the Taliban, they put me in jail for three months. They beat on me, they hurt me, they broke my arm and they beat on my back. The Taliban oppressed us, beat on us, and we lost our dignity to them. They mostly oppressed the whole village. My cousin misled me; he took me to the compound. All together, I spent only two days at the compound. I went home and I had to help my mother. I was carrying a load of vegetables when they came and arrested me. We were happy because of the Americans; they (the Samoud Khan forces) took me by force, they made me go with them and I was happy that the Americans come... came to the area, yet I was still working for them (the Samoud Khan forces) by force. From the compound we never fired upon the Americans. When the Americans arrived, with our own will, we went with happiness. We surrendered our weapons to the Americans and they just told us that they would search the compound and they would hand us back our weapons. Then they made us sit outside the compound, they went inside the compound, they searched the compound, and then they came back from the compound and tied our hands behind our backs. We had six flashing colts and we surrendered it to the American forces. These are the things that I wanted to tell you.

Tribunal President: Mohabet Kahn, does this conclude your statement?

Detainee: I don't have anything else to tell you. Anything that I told my Personal Representative, these are the things that I wanted to tell you.

Tribunal President asks Personal Representative does he have anything else to add or have any questions for the Detainee?

Personal Representative: Yes sir, what I'd like to do, is talk about some of the comments that Mohabet said that will perhaps shed light on his testimony and then Mohabet can correct them if I say it wrong. Mohabet told me he ran a tractor for his uncle. This was before he was in Samoud's compound.

Detainee: Yes, it was my uncle from my mother's side.

Personal Representative: And he was happy driving the tractor. Then Mohabet's cousin came to him tried to get him to do something else. Tried to get him to come to this Samoud compound.

Detainee: Yes.

Personal Representative: So he did, he went to the compound for two days, but he wasn't happy and he said they were stealing, robbing and he didn't like to do those things so he went home.

Detainee: Yes, sir.

Personal Representative: Home was about 15 minutes away by walking from the Samoud compound. So he went home and 10 days later some soldiers from the Samoud compound came and they beat him up and took him back to the compound. About 16 days later is when the Americans came to the compound.

The Personal Representative addressed issues in the Unclassified Summary of Evidence, as were discussed while assisting the Detainee in preparation for the Tribunal.

- **3(a)(3) The Mousauwal (Samoud's) Compound was run by the Detainee's uncle.**

  Detainee: That wasn't true; he wasn't there.

  Tribunal Member: Does that mean his uncle ran the compound?

  Translator: No, his uncle wasn't there, it means no.

- **3(a)(5) Everyone at Samoud's compound carried an AK-47.**

  Yes, it was true.

- **3(a)(6) The Detainee was instructed by the commander to fight the US forces when they came to the headquarters.**

  This is not true.

- **3(a)(7) On 11 December 2002, the Detainee and other men were instructed by the commander to lock the compound, move to the roof, and fight the American forces to the death.**

  This point is addressed below.

- **3(a)(8) On the morning of 11 December 2002, the commander directed the men in the camp to shoot the U.S. forces before they enter the compound.**

This is not true; it wasn't like that.

- **3(a)(9) Men from the Mousauwal Compound fired rockets at the Gardez Fire Base from firing positions on Laywan Mountain.**

  This is not true.

- **3(a)(10) Men from the Mousauwal Compound attempted to fire rockets at the Gardez Fire Base from the old Soviet airfield north of Gardez, but the Americans discovered the site before the rockets could be fired.**

  Personal Representative: Mohabet, with regard to allegation number 10, he said he never saw the rockets. Number 10 says men from the Mousauwal compound attempted to fire rockets at the Gardez firebase from the old Soviet airfield north of Gardez, but the American discovered the site before the rockets could be fired.

  Detainee: I never saw rockets. What I want to say, I don't recall rockets being fired from the old Russian base at the Americans.

- **3(a)(11) The Detainee was arrested by U.S. forces, during a raid of Samoud's compound in Afghanistan.**

  It wasn't really a raid, they opened the doors to let the Americans come in and it really wasn't forceful or an impressive action, they really just let the forces come in. It was like that.

- **3(a)(12) At the time of his arrest, the Detainee had in his possession a Kalashnikov rifle with three magazines.**

  This is true but there were no bullets in the magazines.

Tribunal Members' Questions to Detainee

Q: You said that you were born in Afghanistan but there was a time when you lived in Pakistan as well?

A: Yes sir, I went to Pakistan to work.

Q: And how long were you in Pakistan?

A: Six months.

Q: Were you able to find work there?

A: Yes sir, I found a job over there and I was working there.

Q: And what was it that you did?

A: I was with the refugees, digging wells, working with their PGS system, the refugees.

Q: Were you doing this on your own or were you it with a group?

A: No sir, there's a camp, with lots of refugees over there. With some of the people some of the time I carried the boxes on my shoulder to make money; I carried the boxes for people to make money.

Q: And who were the ones that paid you, the people whose boxes they were or someone else?

A: An individual, by the name of Matbanusa (ph) from the province of Gardez in Afghanistan, he worked as a director of a camp in the refugee camp. I was working for him and he was paying me 3,500 rupees a month.

Q: Was this adequate to make a living to sustain yourself?

A: It's not too much money; so rich people wouldn't do it. But I didn't have any money; I had to do it so I could live.

Q: Beside yourself, did you also have any family members you were supporting in Afghanistan?

A: Yes.

Q: One of the points on the summary says that you stayed in a brigade center in Charkala, is that true?

A: No sir, I have never been to Charkala.

Q: So you don't know what the brigade center is?

A: No.

Q: When your six months of time ended in Pakistan did you return back to Afghanistan?

A: Yes sir, I went back to Afghanistan.

Q: If you had a good job in Pakistan, why did you go back?

A: We go over six months at a time over there in Pakistan and we have to return because we have to bring the money to our families. I have an old father, I have to support my family, and they do not have anything to eat so I have to go take the money to them.

Q: In Afghanistan did you have any other jobs besides driving the tractor on the farm?

A: Yes sir, I was digging wells and driving the tractor.

Q: Besides those things, did you do other things also or not?

A: No sir.

Q: About the compound, you said that your cousin was the person who tried to get you to go to the compound?

A: Yes.

Q: And what reason did he give for why he wanted you to go there?

A: My cousin misled me. At that time I was driving my uncle's tractor and he was giving me 2,500 rupees per month. My cousin told me, well you are working hard, you are dirty, your clothes are dirty, go with us to the compound. We will pay you 5,000 rupees per month.

Q: To do what?

A: I cannot answer that. When I went to the compound, I stayed two days and I left the compound, because I didn't like the things that were going on there.

Q: I understand, but if he's going to pay you 5,000 rupees a month what did he expect you to do for that?

A: They made us work hard inside the compound. I swear to God they did not pay me one penny.

Q: Did he really want you to help commit crimes with them?

A: With who?

Q: With whoever was doing them - I think you said that you did not want to do the things that they were doing, whatever those things were?

A: No.

Q: Did you say the other people in the compound were robbing people and doing bad things and you did not want to do those things?

A: Yes sir, they were robbing and also they were smoking hashish. I didn't like it. That's why I left.

Q: So what kind of work did they make you do in the compound while you were there?

A: I know they were going to this house and looting this house and that house and I told my cousin when I say those individual went to those many different people's homes, I told my cousin if someone would give me yellow gold, I would not be in the compound anymore.

Q: The name Samoud, is that the name of a person or a group or what does that mean?

A: Samoud is a bad individual in that area, a bad person.

Q: In the compound that's named after him?

A: Yes sir.

Q: And did he just establish this compound by himself?

A: No, he didn't build it, he bought it with money.

Q: And how many people were in the compound when you were there?

A: Eight individuals.

Q: And as far as you can tell, what was the purpose of the compound?

A: How would I know? They were doing their own wrongdoing, thank God bless the Americans, they come and took us out of there. Because I was stuck with it.

Q: Did you figure out there pretty quickly that the other people there was against the United States?

A: No.

Q: You never heard anybody there say negative things about the United States?

A: No.

Q: And you say your uncle was not there at the compound?

A: No sir, he wasn't.

Q: Was there a chance that he could have had some affiliation with the compound even though he wasn't physically present?

A: No sir. It didn't happen like that.

Q: Is this the same uncle who gave you a job driving a tractor or are they talking about some other uncle you have?

A: Yes sir, the individual is my uncle from my mother's side who give me the tractor to drive. He's a poor person. He's not involved with these kinds of things. He works hard.

Q: Do you have any other uncles who they are maybe talking about here?

A: I have two more uncles from the father side, but they are poor people and they are not involved with these kinds of things.

Q: What weapons did you see when you were in the compound?

A: We only had flashing colts, AK-47's.

Q: Each man had one for himself?

A: We had six flashing colts for eight individuals.

Q: And were there any other weapons there for the defense of the compound?

A: No.

Q: How long have you been here at the camp?

A: Two years.

Q: Have the interrogators asked you about other things that besides the things that we are talking about today?

A: About what?

Q: That's what I'm asking you, actually?

A: In the interrogations they ask me the same questions and I answered the same that I am answering you.

Q: Did they ask you about the other men that were with you at the compound?

A: Yes.

Q: Do you know any of the other men are also here at Cuba?

A: Three are here, five were released.

Q: If you are released from Cuba, where would you want to go?

A: I would go to my own village in Afghanistan, I will work hard, and I will help the Americans, because we like the Americans.

Q: Have you ever traveled anywhere else in your life besides Afghanistan and Pakistan?

A: No.

Tribunal Members' Questions to Detainee

Q: Other than the people in the camp that the Americans told you were captured there, other than that, are there any other people in this camp here in Cuba that you recognize from Afghanistan?

A: Yes sir, the other two individuals that they are here, they are from a different village called Albacar (ph). They are not from my village. They are still here.

Q: Did you ever see any fighting in Afghanistan?

A: No.

Q: Did you ever work with the Taliban?

A: No.

Q: Did you ever work for Al Qaeda?

A: No.

Q: Were you aware of Al Qaeda?

A: I knew that the Arabs were with Al Qaeda until the Americans came; if not, they would take away all our dignities.

Tribunal President's Questions to Detainee

Q: When Osama bin Laden attacked the World Trade Centers in the United States, where were you? What country were you in?

A: Sir, I was back home, I am 18 years old, I was very young at that time, and I heard on the radio that this happened.

Q: After that did you go to Pakistan to work for a time?

A: No, no sir I did not go there.

Q: So you had gone to Pakistan before September 11th 2001.

A: That was before the Americans came in to my country that I went to Pakistan; after that I never went back.

Q: When you were captured at Samoud's compound was that the first time you had seen Americans in Afghanistan?

A: We saw them in that day.

Q: Did you ever take up arms against the Americans or the Northern Alliance?

A: No.

Tribunal Members' Questions to Detainee

Q: You said earlier that the Taliban once put you in jail and beat you?

A: Yes sir.

Q: Why did they do this?

A: My infant cousin was born. We had a party. We were playing the drums. We were having fun. When they came they broke the tapes, the broke the drums, they took me to jail, they beat me with a cable and then they put salt on it. On my wounds I guess.

Q: Because you were making music and they did not want you to make music and noise?

A: Yes sir.

Q: And how long did they keep you in jail?

A: Three months.

Q: Were there other times that the Taliban gave you difficulties?

A: Yes sir, they punished the young generation, especially when they groom their hair they took the scissors and chop their hairs off, they beat on them on top of the property where the land was that they were working. It wasn't for me; it was the whole young generation.

Q: Did this happen to you personally, also?

A: Yes sir.

Q: And how old are you now?

A: Eighteen years old.

AUTHENTICATION

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

(b)(6)

[redacted]

Colonel, U.S. Marine Corps
Tribunal President

Summarized Sworn Detainee Statement

The Tribunal President read the hearing instructions to the Detainee. The Detainee requested additional clarification of the purpose of the proceedings. The Tribunal President explained the process a second time. The Detainee then confirmed that he understood the process and had no questions. The Recorder presented the summary of evidence in full to the Tribunal. As the Tribunal President explained the proceedings, the Detainee interrupted and stated the following:

Tribunal President: The Detainee had requested no witnesses or documents be produced for the Tribunal today.

Detainee: I don't have witnesses, but I have a lawyer in Italy.

Tribunal President: Your lawyer will not be available for this session.

Detainee: How can I bring witnesses? I have no witnesses. I have one friend that came with me from Afghanistan. He is here, I can bring him, and he will say everything. But he's not here, so I don't know who to bring as a witness.

Tribunal President: I understand. As we indicated earlier, and you indicated earlier, you have no witnesses to appear today.

Detainee: Yes, sir.

The Tribunal President then asked if the Detainee still wished to participate in the Tribunal, and if he would like to take the Muslim oath. The Detainee indicated he still wished to present evidence, and took the Muslim oath.

The Personal Representative then stated each point of unclassified evidence separately to allow the Detainee to respond, and included notes he had gathered from the Detainee in a previous interview.

Personal Representative: We met on the 25th of October, three weeks ago, for about 70 minutes. We discussed the summary of evidence, and he (the Detainee) was given the options on how he wanted to present it. We decided we'd present the evidence together, especially since it's three weeks old.

Regarding the first two points now: *(3.a.1) The Detainee traveled from Germany to Afghanistan via Turkey and Pakistan in September 2001 and (3.a.2) The Detainee received training on the AK-47, RPG's, grenades and pistols at al Farouq; all of the aforementioned training occurred sometime in September 2001:* On the first point, he said he did travel. On the second one, regarding the training on the different weapons systems at al Farouq, they will be addressed together. The training, he stated, on the AK-47 and RPG, were done in his home country of Algeria. He stated that every Algerian

was asked to perform two years of military training. When asked if he went to al Farouq, he said yes, he went there for 12 days and got some training; of course he received training, he stated he didn't go there as a tourist. For a matter of record, the Detainee stated he only received training on the AK-47. (To the Detainee): Is there anything you would like to add regarding this item?

Detainee: The five accusations, I confessed myself. What hurt me hurt my kids. I talked to interrogators for 2 ½ years. I didn't speak to them to harm me, I was telling them the truth. I didn't want to lie to them, or (for) those to be used to harm me.

Personal Representative: And I think as we proceed through the remaining evidence, that will come forward; your story and what you have said to be your truth.

Detainee: Yes.

Personal Representative: *(3.a.3) The Detainee received camouflage and physical training at a facility near Kabul known as "Camp Nine" after America was attacked.* Regarding this, he stated in our previous meeting that he did not receive physical training or camouflage training. Others had gotten physical training, but the Detainee claims he did not.

Detainee: Yes.

Personal Representative: *(3.a.4) The Detainee was captured in a house where he stayed with a senior al Qaida leader in Faisalabad, Pakistan.* On this fourth point, he stated yes, he was in Pakistan. And you (the Detainee) may need to help me on this because there's a lot of information here. The houses, he stated, each had supervisors. The house you stayed at was (affiliated with the) al-Tabligh (Jamaat al-Tabligh) society. Their mission was to recruit Muslims. The people of al-Tabligh would move people between different houses, and he stayed at two houses. The first house was for two months, and the second one was for one month and ten days. You waited there until at such time you were told where to go next, and you were told to go to Faisalabad until people would come to give you your passport, and then send you back to Germany, which is where you lived. You stated you were with three people, a Yemeni, a Russian and yourself. You went by car to this house, and the supervisor of that house was Abu Khalid. Abu Khalid would go to get food and supplies because he had a motorcycle. When you were at this house, you were all three told that you were brought to this house by mistake. You were told that after the evening prayer, you'd all be moved to another house. You told them you would not leave. Can you clarify the reasons you would not leave?

Detainee: Yes. I was here for about three months. They transferred me because of problems with people inside of house. There were always a lot of people. There were problems with food and sleeping areas. They didn't let me sleep or eat well, and nothing was organized, so I always had problems. One of the people from the Tabligh group told me they would take us to another house so we could be relaxed. A car came, and he

brought us all three to Faisalabad. After going there, we stayed in one house. And then a vehicle came and took me to the house I was arrested. We stayed in that house for maybe an hour to an hour and a half. The supervisor of the house was a Pakistani named Abu Khalid. He told us you have to go to another house because it was a mistake. The house was big and nice, everybody had their own room, and I didn't want to leave. I had my own room and put my clothes and belongings in that room. I told him I wouldn't leave there until I get back my passport and then I'll leave. After the evening prayers, they brought the vehicle, and I was told to take my belongings and go with the Pakistani, but I refused to leave. I stayed there about two days. The guy from al Qaida, Daoud, questioned me as to who I was, what I was doing here and who brought me. I said I'm from Germany waiting on my passport. When I get it, I will leave. He said, no problem, you can stay here for a week. I stayed there for about twelve days and the Pakistani police came. They took us to prison. Daoud was arrested with us, you can ask him about us.

Personal Representative: That was consistent with the notes of our meeting on 25th of October. And it also covers the unclassified evidence, up to item 4, the circumstances of his capture. Regarding *(3.b.1) The Detainee carried an AK-47 on the battlefield* and *(3.b.2) The Detainee volunteered to fight on the Northern front in the vicinity of Bagram, and did so for a period of approximately two months,* you told me you did not carry an AK-47 on the battlefield. You stated you were with the Taliban because they were giving you freedom. When you were ordered to leave Afghanistan, you left the Taliban, and gave back the AK-47 you were given in Kabul. Regarding fighting on the Northern front, you explained that during that time there were three lines. The first line was the Taliban, the second line was the Pakistanis, and the third line was the Arabs. You told me you had no animosity or hate towards Americans, and that you did not come to Afghanistan for the purpose of fighting. You stated you came for personal reasons, and mentioned you wanted to express those reasons to the Tribunal. Do you still want to express those personal reasons to the Tribunal?

Detainee: I left Germany. I went to prisons in Germany and in Italy, a lot of prisons. In July 1999 was the last day I was in prison in Germany. I didn't have anything but my Polish girlfriend. I was told to go there to buy heroin because it was cheaper there; in Europe it is very expensive. We agreed that we would leave and buy (heroin) and come back. I went to Afghanistan and found everything. The Taliban officials did not let me leave Afghanistan. I had no passport or identification. They told me you cannot leave unless you are given an order. So for two months or so, they bought vehicles and told us to put our weapons in those vehicles, and then we left for Pakistan. That's it. I didn't enter there to fight with the Taliban. Even in Algeria when I was in the military, I did not complete my duty; I left before. Every time I was given a month for leave, I would leave for a year. I didn't like military training. I didn't like Afghanistan; I wanted to live in Europe. It was a mistake going to Afghanistan.

Tribunal President: Does this conclude your statement?

Detainee: I don't understand. I have questions about the five points. The training at Camp Nine, I told the interrogators that I didn't have the training; I just told them the truth about the training others were doing. I could've said I never went to Afghanistan, they would've believed me. I didn't go there to fight. I didn't want to die; I have a wife, children and a girlfriend. I told them the truth from the time I left Germany until I went to Afghanistan. I didn't have the training. That was the first time I went to Afghanistan, so when I was told to go here or there, I went because I didn't know where to go. I chose to go with the Taliban because there were problems with the Arabs every day. The Taliban gave me the freedom to go anywhere. Arabs are given certain times to get up and certain times to go to the market. My friend and I had a lot of problems. We went to the Taliban and were relieved. The Taliban never told us anything and we were free to go to the market or anywhere. At that place, there were airplanes flying, they told us to leave that place and go to our families. I had a Kalashnikov, and gave it to them when the vehicles came, and went to Pakistan. I was the one that told them this. They asked (the interrogators), and I told them the truth. There's no lies in this story. There's no negative or positive, or anything added or taken from it.

Tribunal President: We understand. This is why we welcome your testimony here today to clear up any questions we might have.

Detainee: Now I was able to say it, and it is out.

Tribunal President: We certainly welcome the truth, and appreciate your openness with these statements that you have made. We'll have some questions, but before that, is there anything else you'd like to make known to us?

Detainee: If you have a question, I will answer you.

The Tribunal President then asked the Personal Representative if he had any questions for the Detainee, or had any additional information to present to the Tribunal.

Personal Representative: (to the Tribunal) Sir, the one point is that the statement he has made to this Tribunal was consistent with the session we had three weeks ago. I just have a couple questions for the Detainee.

Q: When did you move to Germany?

A: I was in Italy, then Germany.

Q: When did you go to Germany?

A: 1994.

Q: Are you still a citizen of Algeria or Germany? What country do you claim for citizenship?

A: I have Algerian citizenship and am a permanent resident of Italy.

Q: Did you travel to Afghanistan with legal papers?

A: No. It was a fake passport. It was not original.

Q: What was the reason why you traveled with a fake one?

A: In Germany, they wouldn't give me a passport, only a permit to just move from Hamburg. Even from Hamburg to Bamburg (phonetic)(another city in Germany), they would punish you.

Q: Is that because you had prison time?

A: Yes.

Q: So you traveled illegally, and for illegal reasons, to get pure heroin?

A: Yes.

Q: And who gave you the money?

A: I had money. And a person from Tabligh (Jamaat al Tabligh) brought me the tickets.

Q: Your main, prime reason to go to Afghanistan was for what?

A: Drugs.

Q: You did go to al Farouq to train on a Kalashnikov. Could you explain why you did that?

A: The person that brought me the tickets from Hamburg told me to go to Pakistan. He told me there'd be one or two people waiting for me. He gave me his name. When we got to airport at 2 a.m., they saw us because we didn't look like Pakistanis. We got a rental car, went to a hotel. We stayed there about three days. He showed us the way and bought us clothes. He bought us plane tickets from Karachi to Quetta. The reasons I went were not known to them. I didn't want them to kill me or anything. And they showed me where to go to get to the Taliban center. We stayed for two or three hours before we went to Kabul. They brought us a car just to get to Kabul, and then to Kandahar. When we got to Kandahar, they took us to a guesthouse for Arabs. When we went there, there were about 25 or 26 Arabs in the house. We stayed there about 3-4 days; we were divided into two groups, and we walked to al Farouq. Then the incident happened in the U.S., so they told us to leave al Farouq and go to the mountains. We were there for 12 days before we were taken to Kabul.

The Tribunal President then asked any Tribunal Members if they had any questions of the Detainee.

Q: Good afternoon. I just have some things I want to clarify from what you told us today. I'll go to the most recent first since it's fresh in our mind. When did you first realize you were going to al Farouq - in the guesthouse or before that?

A: When I got to it.

Q: You didn't know you were going until you actually got there?

A: We got to the place where there were a lot of military personnel; then I saw the flag, and it was what I remembered from a tape I saw in Germany. The flag had al Farouq written on it like I saw on the tape.

Q: What was the tape about that you saw in Germany?

A: A Moroccan missionary was the one that bought me tickets to Pakistan and was the one that showed me the tape. I saw a tape in which one was for Chechens, and one for Afghans. He would show the tapes and ask if you wanted to be a jihad fighter, and would buy them tickets to send them there.

Q: This man was not a Jamaat al Tabligh person, he was someone else?

A: He walked by himself, and you would always see him at the mosque.

Q: Is that where you first met him was in a mosque?

A: Yes.

Q: And that was in Germany; the mosque you attended?

A: Yes.

Q: So he wanted you to go to be a fighter, but you went for other reasons as you said?

A: Just go and train and come back, he told me if you want to stay, then stay. I told him I would go, but inside myself I knew I was coming back.

Q: Did you believe or know him to be an al Qaida person?

A: Before I didn't know, but right now, I think he is.

Q: When you went to Afghanistan to get the drugs, was it to sell them to earn a living or use them because you needed to?

A: I didn't want to use them. I wanted to earn money to open a club with my girlfriend in Germany. If you can contact her, you can ask her.

Q: And she encouraged you to do this?

A: We both chose this together. I knew her from before when we used to go to dance clubs together and do cocaine together. In 1999 when I got out of prison, I found out a kilo is cheaper in Afghanistan. It was $700 per kilo in Afghanistan, but in Germany, it would be worth $330,000 for one kilo. I wanted to bring 5 or 6 kilos back, sell it for money and buy a club. I hated being in prison.

Q: Reference your timeline of the things you were doing in Afghanistan; which happened first, when you were in al Farouq and you tried to leave, or when you went there and got the drugs, tried to leave but they wouldn't let you?

A: First thing I went to Kandahar. We didn't know directions or the language, and the Moroccan guy told us where to go. When we entered Kandahar walking, we just wanted to make it to our goal. We got to Camp 9, and they wouldn't let us leave. I had problems with them until the Taliban came, and I went with them. Then I went to Bagram. Any crowd that came in with the food, I went with them, no problem. I was free, no one was telling me to sit, get up, move; no one was telling me to do that. Even the Taliban told us to go to Pakistan, and we went.

Q: I thought there was a part where you mentioned that you were trying to leave, but you weren't permitted to because you hadn't received an order to leave?

A: In Camp 9, I was told not to do anything without an order. They wouldn't even let us by food from the outside. Every day, rice and tea, rice and tea, rice and tea. It was like a house with no neighbors.

Q: How long were you at Camp 9?

A: About a month or 25 days.

Q: You mentioned you didn't get the camouflage or physical training, but others did; what did you do instead?

A: Even in the morning they would tell me to get up and run to do the physical training, and I would curse them. I did not want to run. I always had a problem running. Especially when you are sleeping, they would come and wake you up to run; this is why I left the military there in Algeria.

Q: They just let you do your own thing for a month?

A: They couldn't do anything; I was in my room sleeping. I would put a big piece of wood on my door so they couldn't open the door until about 9 a.m. in the morning. They gave me and my friend bad treatment.

Q: You mentioned you gave your rifle back to someone; where did you get it in the first place?

A: The Taliban gave it to me. When we were leaving, they took them from us. The magazines were taken, too.

Q: Was this at Bagram that this happened?

A: Yes.

Q: So at al Farouq and Camp Nine, you didn't have a weapon?

A: There was training, but they don't give you one.

Q: What kind of training did you have in the Algerian military?

A: We trained a lot, for about six months. We trained on Kalashnikov and RPGs; mostly old Russian weapons.

Q: And there was a time you decided you didn't want to do that anymore and you went to Italy?

A: I don't understand.

Q: I thought you said you finished your Algerian service before it was supposed to end. Is that correct?

A: No, I was finished and detained in prison. I was then given my papers in January 1979. I left the prison in February 1984. It was about 5 years. In the law, it says two years. The rest of the time was all prison. I would be arrested, then released, then arrested again, then released so I got my papers and left. In 1986 I left and got married. In 1990, I went to Italy and haven't been back to Algeria since.

Q: You said you had a wife and children. Are they in Algeria or Italy?

A: Algeria. I have 4 kids.

Q: So when you were in Italy, you had permission to live there. In Germany did you have permission?

A: I didn't give them my true name in Germany. In Italy, I had given my real name, and they will not give you permission for both places at the same time. I went to visit Germany and liked it so I decided to stay. I stayed for a month until I met a German, and so I got married. I stayed with her and forgot about Italy.

Q: Going back to the house in Faisalabad; when they mentioned you were in a house with a senior al Qaida leader, was that Daoud or someone else?

A: I didn't know his name, but after we were arrested, they showed us a picture and told us it was Abu Zubaydah.

Q: Was that the person you knew as Daoud?

A: Yes, he came in and said, "My name is Daoud." We all knew him by that name until we were arrested.

At this time, the other Tribunal Member addressed the Detainee.

Q: Just a few questions. How long did you spend on your plan to leave Germany to go to Afghanistan to buy drugs to finance a club; how long did you think about that?

A: It was in my head a long time ago. I always heard about the product being cheaper there. I had a chance to go because of the Moroccan. When the chance came, then I planned.

Q: Just for the cheap drugs?

A: Yes.

Q: Would it make any difference to you who you had to work with to get those cheap drugs?

A: Yes. I brought a lot of information with me from Afghanistan.

Q: I don't think you understood the question. You took a free ticket to get to Afghanistan; you had help to get there.

A: The person that showed me the tape paid for the ticket.

Q: And the person that showed you the tape showed you military training camps?

A: He didn't tell me anything. After showing me the tape, he asked me if I wanted to go to Chechnya or Afghanistan. I will buy you a ticket to this country or the other.

Q: To do what?

A: To train; to become a mujahadin. The Chechen tape was difficult, and so I decided to go to Afghanistan.

Q: With your love of the military it seems strange you would want to go to Afghanistan to get training even though you could get drugs there. They just bought you a free ticket to get into the country.

A: Not because I couldn't get the tickets, I did this because I didn't know the way to get there.

Q: What did you do for a living when you were not in prison?

A: Which prison?

Q: What did you do for a living; what was your occupation? In Germany and Italy?

A: I was helping a cook, and I was selling vehicles. I was also a thief. In Italy and Germany we were thieves. We would steal things.

Q: How much cash did you have on you when you left Germany for Afghanistan?

A: I had 17,000 Marks. I took 11,000 for my girlfriend, and took 6,000 with me.

Q: And it was 700 Marks per kilo?

A: At the beginning, I didn't want to buy anything yet.

Q: You left Germany for Afghanistan with about 17,000 Deutschmarks?

A: In Germany, I had 17,000 marks. When I left, I took 6,000 Marks, and 11,000 with my girlfriend.

Q: When you were in Camp Nine, who was your friend? Did he travel with you?

A: When he saw the tape of Afghanistan, he just wanted to visit. He bought a ticket that was a two-way ticket to go and come back. I didn't even tell my friend I was going there for drugs. When I went to the market, I didn't take him with me, I went alone.

Q: So he bought his own ticket from Germany to Afghanistan?

A: The Moroccan bought it. He showed us a Pakistani visa and passport, and he was the one that showed us the way and bought us the tickets. The visa was for three months, or 90 days.

Q: So basically you worked with the Taliban to try to get drugs?

A: No, no. If the Taliban knew, they would kill me.

Q: I don't mean you told the Taliban what you were going to do. I meant you worked with the Taliban to get what you wanted.

A: Yes, because they don't tell anyone where to go, and you are not afraid to go wherever.

The other Tribunal Member then addressed the Detainee a second time.

Q: If you were to be released, where would you go and what would you do?

A: My goal is to go back to Germany and open a club and relax. I've told everyone that. I don't want to live in any Arab country. I want to live in Europe; I like Europe. We would meet in Germany or Italy. Italian interrogators came here two years ago. They interrogated me about when I went to Germany. They told me they didn't have a problem with me. They have my passport and everything. Germany or Italy is where I'd like to live. I would want to bring my kids from Algeria. That's what is in my thoughts.

The Tribunal President then asked if anyone else had questions for the Detainee.

Personal Representative: One short question; I remember when we talked during our session, you talked about your Muslim religion. Could you clarify to me if you consider yourself a strong and dedicated Muslim, or to what level do you consider yourself a Muslim?

Detainee: I just know my parents would pray and fast. They passed away. I don't have any problems.

Personal Representative: But you did not go to Afghanistan to answer a fatwa or to fight for any religious cause?

Detainee: No, I don't know, not a fatwa. My parents raised us not to cause problems and to be peaceful.

The Tribunal President thanked the Detainee for his testimony, and began explaining the rest of the Tribunal process. The Detainee interrupted and stated the following:

Detainee: I would also like to tell you that I do not have any problems with the United States of America, or any other country. From my side, in my heart, I don't have anything against (the U.S.).

The Tribunal President again thanked the Detainee for his testimony, then completed his explanation of the remainder of the Tribunal process, and adjourned the open session.

AUTHENTICATION

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

(b)(6) [redacted]

Colonel, U.S. Marine Corps
Tribunal President