

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, but one comment.

Detainee: I do have questions, but I will ask them later.

The Recorder presented Exhibits R-1, R-2, and R-3 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.

Detainee: Can I answer now?

Tribunal President: In just a minute we will get to the part where you can present your oral statement.

Detainee: Very good.

Tribunal President stated that the detainee wants to participate and has requested one witness, which will be present later on during the tribunal

Recorder administers the Muslim oath to the detainee.

Detainee: I swear to almighty God that anything I say is the truth.

The Personal Representative read the accusations to the detainee so that he could respond to the allegations. The allegations appear in italics, below.

3.a. The detainee is associated with forces that have engaged in hostilities against the United States and its coalition partners.

3.a.1. The detainee was seized in an open-air area near a suspected Taliban facility.

Detainee: I was caught in my own room, not outside.

3.a.2. A Kalashnikov rifle was confiscated from the detainee's home the night he was arrested.

Detainee: First I would like to say that I was caught inside the room. Yes, the Kalashnikov was found inside of that room, but the Kalashnikov belonged to my father.

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3.a.3. The detainee was captured with communications equipment.

Detainee: This is a wrong accusation. Nothing was caught with me. In the interrogation they showed me communication stuff, but I didn't recognize it.

3.a.4. Coalition forces were fired upon from the direction of a suspected hostile facility during the seizure of the detainee and his associates.

Detainee: This is a wrong accusation. The soldiers and helicopters came to arrest me inside my house. This is a lie; this is a wrong accusation. I was sleeping in my room.

3.a.5. The detainee was captured with Sarajuddin, a recruiter for Pacha Khan.

Detainee: This is a wrong accusation. Sarajuddin's house and my house is a little distance from each other. I was caught in my house. When they took me outside, I saw Sarajuddin was sitting over there, but they took me [us] to Kandahar, together.

3.a.6. Pacha Khan, a renegade Pashtun Commander, has been conducting military operations against the Afghan Transitional Administration (ATA) and coalition forces.

Detainee: No doubt Pacha Khan is a renegade commander against the United States Forces. But when I met with Pacha Khan, it was after the Afghan government gave the position as a governor, that's when I met him.

3.a.7. It is alleged that Jalaluddin Haqqani, used Sarajuddin's guesthouse for shelter.

Detainee: First this question isn't relevant to me. This question belongs to someone else. The second, I don't know if Haqqani came to his guesthouse.

3.a.8. Jalaluddin Haqqani was the Taliban minister of Frontiers and Tribal Affairs.

Detainee: I don't care what he does. I've heard his name on the radio; I don't know what he was doing.

3.a.9. The detainee has been working for HIG since it began.

Detainee: This is a lie; I never served anybody in any organizations. I was not involved in any organization. If you could find the proof, then anything you say, I believe in it.

3.a.10. The HIG is listed in the United States Department of Homeland Security's, "Terrorist Organization Reference Guide".

Detainee: I don't care whomever he is with. I heard his name in the radio. Like I heard many names, he mentioned Bush, I did not serve him or did I know him. Can I ask you a question?

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Tribunal President: You can, but let me tell you that the only thing we know really about your case is what has been presented to us so far. But you are free to ask questions.

Detainee: Can I ask now? Basically, your tribunal is in session to find out the guilty and the non-guilty all of the accusations that are against me and you read it for me, wrong accusations. First of all, you told me I was caught outside, I wasn't, and I was caught inside my room. This is oppression; I came from another country for one and a half months when I was captured, I was not involved with no organization. I've been here for the past three years and this is oppression. If you have any witnesses against me, then I will agree with you.

Tribunal President: Is there anything else at this time you would like to tell us about your situation?

Detainee: Yes, I would like to say that I am innocent. I was caught with a passport, with an international driving license and some money in my own house. Please, look at my poorness.

Tribunal President: At this time, we may have questions for you. Will you be willing to answer some questions for us?

Detainee: On my eyes, anytime.

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

Personal Representative: No Ma'am I don't.

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

Recorder: Yes Ma'am I do. Are you known by anything other than Mohammed Gul?

Detainee: No.

Recorder: Are you the only Gul in the village?

Detainee: No.

Recorder: Who are other Gul's within his village, are they family?

Detainee: I know some one by the name of Sahib Gul (brother).

Recorder: What is your occupation?

Detainee: I am a farmer, and I also own a diesel gas station.

Recorder: Is this the only business you ever owned or operated?

Detainee: Yes, except that one, I don't work anymore.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. You just said you had only been back from Saudi Arabia for a month and a half. How long had you been there?

A. Three years. All together I spent seven years in Saudi Arabia. Every three years, I came home for six months. That was the last time I went on vacation for six months.

Q. Did someone run your diesel gas station while you were in Saudi Arabia?

A. No, it was in Afghanistan. Swalzheeb Gul (brother) ran it for me. He had never been to Saudi.

Q. You said you were a farmer, is that prior to you going to Saudi Arabia?

A. Yes.

Q. What crops did you grow?

A. We don't have nothing else to grow; we grow wheat and corn.

Q. You said you didn't have any communication equipment. Did you go to school?

A. No.

Q. Did you get any electronic or communication equipment training?

A. Like what electronics?

Q. Like, how a radio works, how to build a radio, how to fix a radio?

A. I'm a poor person; I have never been to school and I don't know how to use none of this stuff.

Q. Does the name Gul as a name does it have any meaning?

A. Gul means flower, Gul or Khan in Afghanistan.

Q. When Russians invaded, did you have any part of that fight against the Russians?

A. No, at that time I was young. At that time I was a driver's helper until finally I found a Visa to Saudi Arabia and I went to work there. I was getting paid 50 Afghani's to work for the people.

Q. Other than traveling to Saudi Arabia, have you been to any other countries?

A. No.

Q. You said you had no education, how about military training?

A. No.

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Q. On the night of your arrest, did you hear gunfire?

A. No, I was asleep. I was asleep when the soldiers entered my room. The soldiers in my room, they did not receive any firing upon them.

Q. You had indicated earlier that the weapon found in your house belonged to your father, was your father at home the night you were arrested?

A. All of my family was home, my father, my brother. When they arrested me they wanted to take me outside, my father did not know their language. They told them by sign. Where are you taking my son? They said we take him outside, then we will bring him back inside. All family of my family was home. They told my father that they will bring him back.

Q. You mentioned you heard things on the radio; did you have a radio in your home?

A. Yes, we had a tape recorder.

Q. What about a Walkie-talkie type radio?

A. No.

Q. You said that when you were taken outside that Sarajuddin was already outside, were you the only two arrested?

A. No, Sarajuddin was arrested, [and] Sarajuddin's brother and son. When I went outside, all three of them were sitting, and they took me and made me sit with them.

Q. You indicated earlier that you did not know or work for the HIG, did you work for any charity types?

A. No organization that I worked ever before.

Q. Did you work for Pacha Khan when was working as governor?

A. No, I did not work with him.

Detainee: I have one question.

Tribunal President: You can ask, I don't know if we can answer it for you.

Detainee: I came to my country not to meet Pacha Khan or anybody else. I came home because my wife was sick. She sent me a letter asking me to come. The only person I have at my home is my old father. I did not come to meet anybody. I came to see my wife, who was sick.

Q. At the time you were arrested, did they tell you why you were arrested?

A. No.

Q. Who arrested you?

A. Yes, I did not know their language, so they must be Americans.

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Q. Did they have an interpreter?

A. No.

Q. When was the first time any one gave you a reason why you were arrested?

A. When I was captured by signing, they told my father that we want to take him outside. Bring him back inside, nobody told us why they captured me. It was late night, around 3 o'clock in the morning. My father is old, had a blanket on top of him. They told him we would take him outside, talk to him, and return him back. They treated us with respect; they did not bother us at all. They treated us with lots of respect. It was cold night, 3 o'clock in the morning, and they put a blanket on top my father because our house was cold.

Q. How big is your village. How many houses or people are in your village?

A. The population I don't know how many people, but around seven homes are in my village, it's not a big village, it's a small village.

Q. You were arrested with three people. Did you work with any of them?

A. No, they are my villagers.

Q. Did you go on any trips with them, any hunting trips, anything like that?

A. No I didn't have time for hunting. I was working hard.

Detainee: Can I have one question?

Tribunal President: I don't know if we can answer it?

Detainee: I come home, because my wife is sick. All I have at home, is my old father, I just went to see wife.

Tribunal President's questions.

Q. So the village that you were arrested in was your native home village, where you grew up?

A. Yes.

Q. You said you had a passport; I'm assuming it's an Afghanistan passport?

A. Yes.

Q. Issued by the new Karzai government?

A. No. It belonged to the area of Rabanni.

Q. It was still a current passport? You could still travel on it?

A. I went to Saudi Arabia with the Pakistan passport. In Saudi Arabia I went to the Afghanistan embassy, at that time President Rabanni was in Afghanistan they changed my Visa from Pakistani passport to Afghan passport.

Q. I thought you hadn't been to Pakistan so how did you get a Pakistani passport?

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A. I never said that I didn't go to Pakistan, Pakistan is like my own country, and one hundred times I was in Pakistan.

Q. So you have been in Saudi Arabia, Afghanistan and Pakistan, those are the three countries you had traveled to?

A. Yes, yes. I was a refugee in Pakistan for long years, I went back to Afghanistan came back to Pakistan. I was issued a Pakistani passport, I got a Visa. Anytime I went to Saudi Arabia, I came back to Pakistan because we didn't have any airplanes inside our country. No flight could go to Afghanistan at that time.

Q. Where did you live at in Pakistan?

A. A place, Miram Shah. Ten years we were living in Miram Shah. I place called Matches Camp. It was a refugee camp.

Q. What did you do in Saudi Arabia?

A. I was a driver.

Q. Did you work for a particular company?

A. No, I was working for a supermarket. I was bringing equipment to the supermarket.

Q. So you drove commercial trucks, moving things for the supermarket?

A. Yes, I was a driver, bringing in vegetables and many other things to the supermarket.

Q. You did not know about Sarajuddin's guesthouse being used as shelter for Haqqani. Have you heard any rumors about Haqqani being in the village?

A. Sarajuddin is not my cousin or brother to protect him. In the interrogation, the interrogators brought me the Koran, twice, I swear to the Koran. I did not know that Haqqani came to Sarajuddin's house, I do not know.

Q. Obviously you left during the Taliban rule, would you say in general, that a lot of people left or would you say they were fairly supportive of the Taliban government?

A. We left at the time of Jihad. We went, we were home; my family was inside my village. I was working in Saudi Arabia. My family was living in my own house.

Q. You said some of you were refugees, who went as refugees?

A. Nobody went with us as refugees; I don't know what you are talking about?

Q. So, just your family is what your saying went as refugees, not everyone else.

A. At the time of the Jihad, not only my family, but many other families went as refugees.

Q. So, this was prior to Taliban era?

A. Yes, yes. At time of Taliban era, I was in Saudi Arabia.

Q. But, your family was back in the village?

A. Yes.

Q. You said you met with Pacha Khan when he was governor. What did you meet with him about?

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A. I did not go to meet him personally, when I came from Saudi Arabia, the people told me that Pacha Khan is the current governor of our province. I wanted to go meet him; I did not meet him yet.

Detainee: The only thing I would like to tell you, this is oppression. For the past three years, I spent my time here. You could go ask in Khost, which is my area. If you find evidence against me; I'm willing to spend my life here. But, if not, I don't want to spend any more time here, not one more minute. I'm a poor person; I have a small piece of land. I bought the Visa to go and work hard, to feed my kids; the Visa was expired. I do not have the Visa anymore. In the beginning, I told my interrogators the address of the supermarket that I was working or I told him that I was working for such and such individuals. I was a driver, and nobody paid attention to me.

Tribunal President: Is there anything else at this time you want to tell us?

Detainee: No. I do not have any questions at this time.

Tribunal President: Personal Representative, did you have any other evidence or does the detainee have any previously approved witnesses to present to this tribunal?

Personal Representative: Yes Ma'am, he does have a witness.

Tribunal President: At this time, let me explain to you how the witness process occurs. Basically, we will have the witness brought in, and I'll ask him to state his name for the record. The Recorder will administer the oath. At that time, then you will be allowed the first opportunity to ask him questions to get him to present information that you think is relevant to your case. Then the Personal Representative, the Recorder, and the Tribunal Members will be able to ask questions. Please keep in mind everything needs to be translated, and please allow time for that as you are asking questions. You are certainly welcome to give him a brief greeting or brief exit greeting, orally. Again, please remember, that it all needs to be translated. Do you have any questions?

Detainee: No, that's fine.

The Tribunal President called for a brief recess while the witness is brought into the room.

Hearing is reconvened with witness and detainee present.

The detainee and witness exchange greetings.

Tribunal President: This tribunal has been reconvened with the witness in the room. Would you please state your name for the record?

Witness: My name is Khan Zaman.

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Tribunal President: You are here today to testify for Mohammed Gul, are you still willing to do so?

Witness: Yes, yes, I want.

Tribunal President: You willing to do so under oath as well?

Witness: Yes.

The recorder administered the oath to the witness.

Witness: I swear to almighty God that anything I say to this tribunal will be the truth.

Tribunal President: Mohammed Gul, do you have any questions for the witness?

Detainee: No.

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

Personal Representative: Yes Ma'am I do. Do you know if Mohammed Gul had any communication equipment with him?

Witness: No, he did not have equipment. Nor did our village have those kinds of equipments and he did not see those kinds of equipments.

Personal Representative: Did he know if Mohammed Gul had been associated with Sarajuddin?

Witness: No, he did not have a special connection to Sarajuddin. Except being a villager, everybody in the village talks to each other.

Personal Representative: Did Mohammed Gul know Pacha Khan?

Witness: No, except probably just heard his name, he did not work with him, he did not know him, or didn't have anything to do with him.

Personal Representative: Did Mohammed Gul know Jalaluddin Haqqani?

Witness: No. He did not know him, he doesn't know him, and he doesn't have any connection with him.

Personal Representative: Did Mohammed Gul belong to HIG?

Witness: No, he wasn't in HIG, he doesn't have any information on HIG.

Personal Representative: How long did you know Mohammed Gul?

Witness: As long as I know my left and my right. I know him.

Personal Representative: Is Mohammed Gul associated with the Taliban?

Witness: No, no connections, probably heard their names, but he didn't have any contacts with them.

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Personal Representative: Is Mohammed Gul associated with forces that have engaged in hostilities against the United States and its coalition partners.

Witness: No.

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

Recorder: Yes Ma'am I do. When was the last time he saw the detainee before he was captured?

Witness: Right before our captured, we were captured before him. We were sitting outside when they brought him over there.

Recorder: How much time from when he came back from Saudi to when he saw them prior to the capture?

Witness: Fifteen days prior to the month of Ramadan. He came from Saudi Arabia, I went to visit.

Recorder: How long was that between that time and the capture?

Witness: I'm not educated we do not know dates. But probably month, or month and a half before his coming back from Saudi Arabia I met him.

Recorder: Do you know what Mohammed Gul did in Saudi Arabia?

Witness: He was a driver.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Tribunal Member: Good to see you again.

Witness: I thank you very much.

Q. Is Mohammed Gul, is that a very common name?

A. Yes.

Q. Do you know how many Guls in your village?

A. Why would I count? I never counted how many people have that name Gul.

Q. But like in the Khost area, there might be...

A. Believe me or not, I forgot my kids name, for the past three years. How would I remember many other people's names? Inside this jail, I spent three years. Three years is a long time, I forgot youngest name.

Q. At the time of your arrest, did you have any idea why he was arrested?

A. I swear to Allah, I don't know why we were arrested, we are innocent, I don't know who told you anything about me, but we do not know why we were arrested.

Q. Do you know if he or any of his family has weapons?

A. In Afghanistan, especially in the province of Paktia, three things that the Paktia province was accepted from the previous government of Afghanistan. First they do not pay taxes for land, the second they could have small weapons, and the third (the interpreter forgot the third one.)

Q. Was your village small or large?

A. No, our village is very small.

Q. So, everybody knew everybody.

A. Special information, we don't have a special connection, but we do know our villagers, who are who.

Q. Do you know who was living inside the house where the detainee was arrested?

A. Father, brother, and himself.

Tribunal President's questions

Q. All the people in your village, were they all in one tribe?

A. Yes, we are a sub-tribe to a bigger tribe.

Q. Are there any disputes in your village amongst each other?

A. Not any special animosity.

Q. Did any of the villagers leave to go to Pakistan to take refuge at any time?

A. Yes, they went.

Q. During Taliban time or before that?

A. No, long time ago.

Q. During the Taliban time, like you said, it was pretty quiet?

A. At the time of the Taliban, nobody left.

Q. Would you say that Mohammad Gul was working in Saudi Arabia for a while?

A. As long as I remember, he went to Saudi Arabia for seven years. Twice he came home every time for six months. All together it means, it was six years he was in Saudi Arabia, six months twice in Afghanistan, all together seven years.

Q. And he came home this time because it was normal time to come home, or did he have a specific reason for coming back to the village at this time?

A. No, someone was sick in the house, he came to see the sick.

Tribunal President: Thank you for participating in this tribunal. We will take a brief recess while the witness is removed from the room.

Witness: I'd like to thank you for to waste your time to come and listen to us.

Tribunal President: We will take a brief recess while the witness is removed from the room.

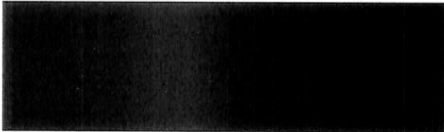
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Tribunal is recessed until after witness is removed from the room.

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

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

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Summarized Sworn Detainee Statement

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

[The Detainee asked if he could ask a question if he didn't understand something. The Tribunal President encouraged the Detainee to ask questions at anytime during the Tribunal process.]

[The Detainee took the Muslim Oath and made the following statement with the assistance of his Personal Representative]:

Regarding the first allegation, [The Detainee attempted to be smuggled into the United States.]: Yes, I did try to be smuggled into the United States. I was going to find a job to make some money.

Regarding the second allegation, [The Detainee traveled with forged travel documents, including a passport and other travel documents]: Every document that the smuggler had he kept. I had no documents when I was captured.

Regarding allegation number three, [The Detainee left Pakistan ten months previous to his detention by paying a smuggler in Pakistan twenty-five thousand dollars (US) to be smuggled into the U.S.]: This was paid in Pakistani currency, one million rupies, about sixteen to eighteen thousand dollars. This would get paid when I got to the United States. My father owns an oil tanker, which he would sell to make the payment. Also, it was only eight months after I left Pakistan to when I was captured.

Regarding allegation number four, [The vessel in which the Detainee traveled is believed to be a special interest vessel, which was the focus of Operation Southern Watch]: I did not take a boat from one country to another. I did take a small boat to cross rivers inside Mexico. I do not know all the countries I went to. I did take a plane from Pakistan to Guatemala. From there I traveled by foot and vehicle to Mexico.

Regarding allegations five and six, [The smuggler responsible for the above-mentioned vessel has close business ties with an individual known to help coordinate smuggling operations for members of Hizballah and al-Gama'at al-Islamiyya; Hizballah and al-Gama'at al-Islamiyya are known terrorist groups]: This is something I do not know about.

[When asked by the Tribunal President if the Detainee would like to comment on the statements made by his Personal Representative, the Detainee made the following comment]:

Detainee: On the fifth and sixth allegations, the individuals who arrested me have to provide evidence that I did this. My allegation is I don't know, I am not aware of it.

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Tribunal President: I understand. The first four statements provided by the Personal Representative, does that accurately reflect what you discussed earlier?

Detainee: Yes.

[When asked by the Tribunal President if the Personal Representative had any questions for the Detainee, the Personal Representative made the following comment]:

Personal Representative to Detainee: One point of clarification, when you spoke to me about your father owning an oil tanker, was this a boat or a truck? What was it?

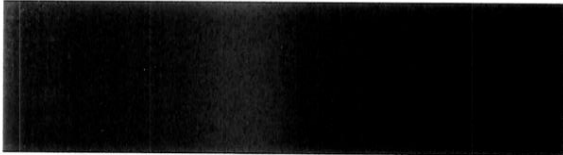
Detainee: A truck tanker.

[When asked by the Tribunal President if the Detainee had any other evidence to present to the Tribunal, the Detainee made the following comment]:

Detainee: No, I don't have anything except my response to the allegations.

AUTHENTICATION

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



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The Tribunal President asked the Detainee if he understood the Tribunal process. The Detainee responded as follows:

Detainee: I hear, but I do not understand the whole story.

Tribunal President: We are here to determine whether or not you have been properly classified as an enemy combatant. We have come with an open mind. We know very little about you except that you have been detained here in Guantanamo Bay. We have not seen the unclassified evidence. We have not seen the classified information, and we have not seen any of your file information. The Recorder will present unclassified evidence, which with the assistance of your Personal Representative you should've had the opportunity to review. You will be given an opportunity to make a statement to tell your story. We will have the opportunity to ask you questions. And after you have told us your story and we have seen all the evidence, then we will go into deliberation to determine whether you have been properly classified as an enemy combatant. Do you have any other questions concerning the tribunal process?

Detainee: I do not have any.

The Personal Representative presented the Detainee Election Form to the Tribunal. The unclassified summary of evidence was presented to the Tribunal by the Recorder, who then described the nature of the evidence. The Recorder requested a closed session at a later time to present the classified information.

Tribunal President: The Detainee requested no witnesses, but did request some documents be produced. The documents requested were his passport and a plane ticket. The Personal Representative informed me that the search was done, but was unsuccessful and that no documents were located. (To the Detainee) You may now present evidence to this Tribunal:

Detainee: I don't have anything to say, and I did not ask for the passport. All this evidence is false accusations.

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

Detainee: I have nothing to say. All these accusations are incorrect.

Tribunal President: This is an opportunity for you to make your statement, to tell us your story for us to take into consideration when we make our determination.

Detainee: My story is very well known. I am a student in Pakistan. I don't have anything else to say.

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

Personal Representative: No, sir.

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

Recorder: No, sir. I do not.

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

Tribunal Member: (To Tribunal President) Yes, sir. I do.

The below is a summary of the question and answer session to the Detainee conducted by the Tribunal members:

Q: What country are you from?

A: I am from Yemen.

Q: And you went to Pakistan to study?

A: Yes, I did.

Q: What was it that you were studying there?

A: I went there to study the Koran.

Q: Did you go to University, or did you get taught by certain religious leaders, or what kind of study was it?

A: All the information is available in my file.

Q: As the President said at the beginning, we have not had access to your file, which is why it is necessary for us to try to understand why you are here.

A: My story is in the file.

Q: If you were a student studying the Koran in Pakistan, how did you end up here?

A: This is the question I always ask myself...why was I captured there, and why did they bring me here?

Q: Could you please describe for us how it was that you were captured or arrested?

A: My story is very obvious and in the file.

Q: Well it's not obvious to us, which is why we were hoping you might help us understand what happened.

A: If you want to see the whole thing, look in my file.

Q: Would you tell us if it was the Pakistanis that arrested you?

A: Yes. The Pakistanis were the ones that captured me.

Q: Did they capture you by yourself or with other people?

A: I was in the house. I was not by myself. There were other people there.

Q: And so they took you all together, all at once?

A: They gathered us, and they took us to prison.

Q: The people in the house, were they also from Yemen, just like you?

A: I don't want to speak about other people. I don't know where they're from.

Q: Were any of them fellow students along with you?

A: Their story is well known to you people, I cannot speak on their behalf. I can't speak for them.

Q: When they came to arrest you, did they tell you why you were being arrested?

A: Nobody told me.

Q: So they just arrested you and took you to jail without telling you why?

A: Yes, that's what they did.

Q: And do you remember how long you were in jail?

Detainee: Which jail?

Tribunal Member: The first one.

Detainee: In Pakistan or here?

Tribunal Member: Pakistan.

Detainee: One and half months to two months.

Tribunal Member: Did anyone from the Yemen embassy come to visit you?

Detainee: I did not see anybody.

Q: Did you ask for them to come or you didn't want them to come?

A: I did not know I could request someone from the embassy to come see me, and I also did not ask.

Q: So after one to two months, then you left Pakistan and came here?

A: I went to Bagram, then to Kandahar, then Cuba.

Q: Where was the first time someone finally told you why you were being arrested?

A: Nobody talked to us about that.

Q: Not in Pakistan, not in Afghanistan; not until you came here?

A: I do not remember.

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

A: I don't remember since I got here, possibly two years.

Q: Now that all this time has passed, do you now know why you were arrested?

A: I didn't know anything until I went into interrogation.

Q: And that is when they first said they thought you were affiliated with Al Qaida?

A: Which time are you referring to?

Q: The first time you came before the interrogators.

A: Here in Cuba?

Q: Yes.

A: Every time I meet with an interrogator, he comes back with different accusations or allegations.

Q: Do you know what Jama'at al-Tabligh is?

A: I know about Tabligh, but I do not know what it is.

Q: Can you explain to us what that is?

A: All information I know is in the file. I have spoken so much about it in the past.

Q: I understand there are times you have to answer questions over again, but this is the first time we've had any exposure to your case.

A: Everything is in the file.

Q: The only thing we know about you thus far is what you're telling us now, and that you told us all these things on the exhibit are not true.

A: What should I do in this case?

Q: We were hoping you would try to help us understand why it was you believe you were arrested and brought here.

A: I have been here two years. If you do not know why I've been arrested, why are you keeping me here? Why don't you set me free?

Q: Have you ever traveled to Afghanistan?

A: My story is very well known.

Tribunal Member: I'm sorry you didn't choose to share more of it with us. I don't have any more questions. Thank you.

Tribunal President: Did you ever travel to Afghanistan?

A: No, I did not.

Q: Did you ever travel to Pakistan?

A: Yes, I did.

Q: Did you attend college in Yemen?

A: My story is very well known; it is in the file.

Q: But we don't know your story; that is why we are asking you these questions.

A: You can get the information from my file.

Tribunal President: OK. If you prefer it done that way, I guess we have no other choice. Do you have any other information to present to this Tribunal on your behalf?

A: No. I don't have any.

The Tribunal President then addressed the Personal Representative to request if any additional information would be presented to the Tribunal.

Personal Representative Answer: There were several items reviewed with the Detainee that did not come out that I'd like to read to you now.

Tribunal President: Please.

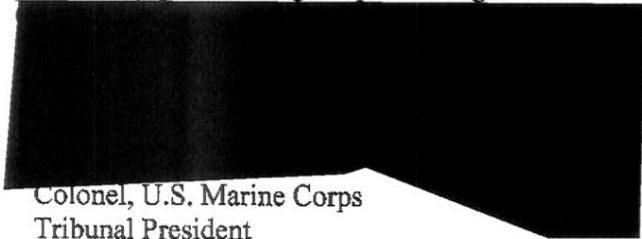
Personal Representative: We went over each line of the summary of unclassified evidence. On the assertion that he (Detainee) is associated with Al Qaida, he says it is not true. Concerning the allegation he trained at Al Farouq, he said he stayed at a hotel in Karachi for two days, and then went to Lahore to read the Koran for five months. He stated he then went to Salafia University. Concerning the allegation he was captured with ammunition, he says this is not true. And he (Detainee) further stated he did not want others that were captured with him to testify. Concerning the allegation he was captured with other individuals, he said 'yes.' Concerning the allegation that one of the individuals that were with him upon capture was associated with Al Qaida, he said he did not want any of them as witnesses. Concerning the allegation he (the Detainee) is associated with Jama'at al-Tabligh, he said he came to know them in Pakistan, that he did not join them, and that they showed him how to go from Yemen to Pakistan. Concerning the allegation that Jama'at al-Tabligh is a missionary organization used as a cover to mask travel activities of terrorists to include members of Al Qaida, he (Detainee) said he did not know. That summarizes what we covered in the interview, Mr. President.

Tribunal President: Thank you.

The Tribunal President explained the remainder of the Tribunal process to the Detainee and adjourned the open session.

AUTHENTICATION

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

A large black rectangular redaction covers the signature of the Tribunal President.

Colonel, U.S. Marine Corps
Tribunal President