

Exhibit Z

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

- - - - - x

SULEIMAN ABDULLAH SALIM,
MOHAMED AHMED BEN SOUD, OBAID
ULLAH (as Personal
Representative of GUL RAHMAN),

Plaintiffs,

Civil Action No.

vs.

2:15-CV-286-JLQ

JAMES ELMER MITCHELL and
JOHN "BRUCE" JESSEN,

Defendants.

- - - - - x

VIDEOTAPED DEPOSITION OF SULEIMAN ABDULLAH SALIM

VOLUME I

March 14, 2017

Reported by:
Jane M. Borrowman, RPR, CSR
Job no: 18303

1 that's asked you, rather than give a long
2 explanation.

3 (Translating.)

4 MR. HOFFMAN: You don't need to
5 answer anything. Just wait for a question.

6 BY MR. SMITH:

7 Q. Mr. Salim, do you speak English?

8 A. A little.

9 Q. Well, did he say "a little" or did he say
10 "yes"?

11 MR. HOFFMAN: He just said "yes, a
12 little."

13 INTERPRETER ODANGA: He said
14 "yesse," (phonetic) it means more.

15 MR. SMITH: Oh, okay. I heard
16 "yes," so that's why you're here. Okay.

17 INTERPRETER ODANGA: Yesse.
18 (Phonetic.)

19 MR. SMITH: Okay.

20 BY MR. SMITH:

21 Q. When did you start speaking English?

22 A. When I was in jail, at the jail.

23 Q. Okay. Now, let's go back to this
24 identification from Kenya. Who issued the

1 identification in Kenya?

2 MR. HOFFMAN: Objection. You can
3 answer.

4 BY MR. SMITH:

5 Q. Mr. Salim.

6 A. Huh?

7 Q. Do you understand the question?

8 A. I understand.

9 Q. Okay. Who issued the identification?

10 A. Fahid.

11 Q. Who is Fahid?

12 A. My friend.

13 Q. And how is it that you got to know this man,
14 Fahid?

15 A. I knew him because he had a store.

16 Q. What kind of store?

17 A. Clothing store.

18 Q. And why is it that he issued this
19 identification to you?

20 A. So while I was in Kenya, the police were
21 searching. If you didn't have identification,
22 then you'd be in trouble. So I would show
23 that identification, that I have ID card.

24 Q. Was it a false identification?

1 MR. HOFFMAN: Objection. You can
2 answer.

3 THE WITNESS: It was a valid one.
4 It was not false.

5 BY MR. SMITH:

6 Q. Tell me why it wasn't false.

7 MR. HOFFMAN: Objection. You can
8 answer.

9 INTERPRETER ODANGA: He's asking,
10 can he -- can I clarify? He's trying to
11 understand, when you say "objection," does
12 that mean that he's not supposed to talk or...

13 MR. HOFFMAN: You translate. If I
14 say "objection," he can still answer the
15 question.

16 INTERPRETER ODANGA: Okay.

17 MR. HOFFMAN: Unless I instruct him
18 not to answer.

19 INTERPRETER ODANGA: Okay.

20 (Translating.)

21 THE WITNESS: Can you ask your
22 question again?

23 BY MR. SMITH:

24 Q. Let me ask a different question. Did you

1 fishing.

2 Q. Okay.

3 A. So that's what I wanted to clarify.

4 Q. Okay. So I asked you do you recall about your
5 work experience, and you started, I think,
6 when you were 16 or 17 years old and you
7 described it.

8 Do you remember that?

9 A. Yeah, around 16 or 17.

10 Q. And do you recall the various jobs that you
11 told me about from 16 or 17 up through the
12 years 1994 and '95?

13 MR. HOFFMAN: Objection. You can
14 answer.

15 THE WITNESS: Yes.

16 BY MR. SMITH:

17 Q. Okay. And is there anything that you told me
18 that's incorrect?

19 MR. HOFFMAN: Object.

20 THE WITNESS: I say it's correct.

21 BY MR. SMITH:

22 Q. It is correct?

23 A. Correct.

24 Q. So I want to go, now, to 1994, 1995.

1 A. Fine.

2 Q. That was the year you took a job on a boat?

3 A. Yes.

4 Q. Who owned the boat?

5 A. Fahid.

6 Q. Was that the same Fahid that gave you the
7 identification from Kenya?

8 A. Yes.

9 Q. Do you know if Fahid was affiliated with any
10 Al-Qaeda activities?

11 A. No.

12 Q. So let's go back, then. You were working on
13 Fahid's boat. How long did you work on the
14 boat?

15 A. Until 1998.

16 Q. Okay. How many other people worked on the
17 boat?

18 A. Just me, we were two, but we were coming and
19 going, so on and off.

20 Q. Was there one boat or more than one boat?

21 A. One.

22 Q. Okay. How big was the boat?

23 A. I don't recall very -- I don't remember very
24 well, but it was about 8 to 9 meters.

1 Q. So approximately 27, 28 feet?

2 A. I don't understand these numbers with the
3 feet.

4 Q. Okay. What kind of merchandise were you
5 transporting on this boat?

6 MR. HOFFMAN: Objection. You can
7 answer.

8 THE WITNESS: I would carry things
9 like soap, rice, sugar, and sometimes
10 transport people.

11 BY MR. SMITH:

12 Q. And where would you pick up this -- this soap
13 and rice and sugar?

14 A. I would pick them from Malindi and take them
15 to Lamu.

16 Q. Where is Malindi?

17 A. Malindi's in Kenya.

18 Q. And where is La-mee (phonetic)?

19 INTERPRETER ODANGA: La-moo.
20 (Phonetic.)

21 MR. SMITH: Or Lamu.

22 INTERPRETER: L-A-M-U.

23 THE WITNESS: In Kenya.

24 BY MR. SMITH:

1 Q. And did you also say that you transported to
2 Somalia?

3 A. Sometimes I would go to Somali to get dry fish
4 and, then, I bring it to Malindi.

5 Q. What is Fahid's full name?

6 A. I can't remember.

7 Q. Does the -- do you know if his -- Fahid's full
8 name is Fahid Mohamed Ally Msalam?

9 A. I can remember Fahid Mohamed, but not the
10 other one.

11 Q. Okay. And you stopped transporting this fish
12 and other materials in 1998, is that right?

13 A. Yes.

14 Q. Why?

15 A. The boat was taken away from me.

16 Q. Who took the boat away from you?

17 A. The Somali people.

18 Q. Can you describe the circumstances under which
19 the boat was taken away?

20 A. I was just on my daily business and the people
21 came, the Somali came, they had guns and they
22 said they were taking my boat away.

23 Q. Okay. Do you know who these Somali people
24 were?

1 A. I didn't know them.

2 Q. Did they shoot at you?

3 A. No, they did not shoot.

4 Q. Okay. And after that, what was your next job?

5 INTERPRETER ODANGA: Can I ask him
6 to repeat?

7 MR. SMITH: Sure.

8 (Translating.)

9 A. So, up till that, I was doing fishing and,
10 also, I was working at the port. So like when
11 the ship came, we would help to pack them.

12 Q. How long did you do that?

13 A. It was just a few months.

14 Q. Okay. Who issued a paycheck to you for doing
15 the work at the port?

16 MR. HOFFMAN: Objection. You can
17 answer.

18 THE WITNESS: The Somali.

19 BY MR. SMITH:

20 Q. Okay. And where were you living at the time
21 when you were doing this employment?

22 A. Kismayu.

23 Q. I'm sorry?

24 A. Kismayu.

1 and stayed in Mombasa with 1998 East African
2 embassy bombing fugitive Fahid Mohamed Ally
3 Msalam, with whom he trained in Afghanistan"?

4 MR. HOFFMAN: Objection, but you can
5 answer.

6 THE WITNESS: Repeat the question
7 again.

8 MR. SMITH: I'm going to have the
9 court reporter read it back.

10 (Whereupon, the record was read
11 back by the reporter as follows:
12 "Did you ever tell American
13 officials that you, quote: 'First
14 came to Kenya in 1993 and stayed in
15 Mombasa with 1998 East African
16 embassy bombing fugitive Fahid
17 Mohamed Ally Msalam, with whom he
18 trained in Afghanistan'"?)

19 MR. HOFFMAN: Objection, but you can
20 answer.

21 THE WITNESS: No.

22 BY MR. SMITH:

23 Q. Okay. Did you train in Afghanistan with Fahid
24 Mohamed Ally Msalam?

1 MR. HOFFMAN: Objection. You can
2 answer.

3 THE WITNESS: I went to Afghanistan,
4 but I want to tell you how I went.

5 BY MR. SMITH:

6 Q. I'm going to get to that, but my question is,
7 did you train in Afghanistan with Fahid
8 Mohamed Ally Msalam, as it says in this
9 government document?

10 MR. HOFFMAN: Same objection. You
11 can answer, if you can.

12 INTERPRETER ODANGA: He never
13 trained with him.

14 BY MR. SMITH:

15 Q. Did you ever train in Afghanistan?

16 MR. HOFFMAN: Same objection.

17 THE WITNESS: Yes.

18 BY MR. SMITH:

19 Q. When did you train in Afghanistan?

20 A. I'm not sure, but it was between 1993 or 1994.

21 Q. And how long did you train in Afghanistan?

22 MR. HOFFMAN: Same objection. He
23 can answer.

24 THE WITNESS: I got trained only

1 once.

2 BY MR. SMITH:

3 Q. How long did you train in Afghanistan?

4 MR. HOFFMAN: Same objection. You
5 can answer.

6 THE WITNESS: Training or the whole
7 stay?

8 BY MR. SMITH:

9 Q. Mr. Salim, you testified that you trained in
10 Afghanistan. Do you recall that?

11 MR. HOFFMAN: Objection.

12 THE WITNESS: But I told you I got
13 trained one time.

14 BY MR. SMITH:

15 Q. Okay. But let's stay with my questions.

16 How long did you train in
17 Afghanistan?

18 INTERPRETER ODANGA: How long did
19 you stay in Afghanistan?

20 MR. SMITH: Did you train in
21 Afghanistan.

22 MR. HOFFMAN: Objection, again.

23 THE WITNESS: One time.

24 BY MR. SMITH:

1 Q. For how long?

2 A. About six months.

3 Q. And that was in 1993 or 1994?

4 A. I'm not sure. It's around '93 or '94.

5 Q. Okay. How did you get to Afghanistan?

6 A. I left Tanzania, I went to India. From India,
7 I went to Pakistan. Then, from Pakistan, I
8 went to Afghanistan.

9 Q. Who paid for you to fly to -- or to travel to
10 Afghanistan?

11 A. Myself.

12 Q. Okay. And where did this training take place?

13 MR. HOFFMAN: Objection, again, but
14 you can answer.

15 THE WITNESS: Afghanistan.

16 BY MR. SMITH:

17 Q. Where in Afghanistan?

18 A. I don't know the place.

19 Q. Well, you traveled to the place, didn't you?

20 A. Yes.

21 Q. Did you travel by automobile, by plane? How
22 did you get to this place?

23 MR. HOFFMAN: Objection.

24 THE WITNESS: By car.

1 BY MR. SMITH:

2 Q. Who drove the car?

3 A. The driver.

4 Q. What was the driver's name?

5 A. I don't remember name.

6 Q. Okay. How did you come in contact with the
7 driver?

8 A. I don't know him.

9 Q. How did you come in contact with him to enable
10 you to get into his car?

11 A. It was a passenger car.

12 Q. Okay. How did you come in contact with this
13 driver such that he could take you to this
14 place?

15 A. I wasn't by myself, I was with other people.
16 We would go to take by public means and, then,
17 we go to where we were going.

18 Q. Who were the other people that you were with?

19 A. I don't know the other ones, I only know one.

20 Q. What's that person's name?

21 A. Al-Fani.

22 Q. And did these people travel with you from, I
23 guess, Zanzibar to Afghanistan?

24 MR. HOFFMAN: Objection.

1 THE WITNESS: One person came with
2 me from Dar es Salaam, but not Zanzibar.

3 BY MR. SMITH:

4 Q. From Jerusalem. Okay.

5 And you departed from where?

6 INTERPRETER ODANGA: Dar es Salaam.

7 MR. HOFFMAN: Dar es Salaam.

8 MR. SMITH: I'm sorry?

9 MR. HOFFMAN: Dar es Salaam.

10 INTERPRETER ODANGA: Dar es Salaam.

11 MR. SMITH: Oh, Dar es Salaam.

12 Thank you.

13 BY MR. SMITH:

14 Q. You departed from where to Afghanistan?

15 A. Dar es Salaam.

16 Q. Okay. Okay. Now, when you got to this
17 training facility, your testimony is you don't
18 know where it was located in Afghanistan?

19 MR. HOFFMAN: Objection. You can
20 answer.

21 THE WITNESS: I didn't know.

22 BY MR. SMITH:

23 Q. Okay. And you were there at this place for
24 six months?

1 A. Something like that, I think.

2 Q. Describe this place for me.

3 A. I remember a big place, a big hilly place.

4 Q. Where did you sleep?

5 A. We had -- we would sleep in the bushes
6 sometimes and sometimes in the -- in the
7 tents.

8 (Witness speaking.)

9 INTERPRETER ODANGA: Oh, sorry.

10 Like the mosque. They would sleep on a
11 mosque, not bushes, mosques or tents.

12 BY MR. SMITH:

13 Q. And what were you training to do while you
14 were there?

15 A. The training was how to do -- how to exercise.
16 We were exercising, we were learning how to
17 shoot, and that's...

18 Q. I'm sorry?

19 INTERPRETER ODANGA: He said
20 "that's." He was learning how to shoot and
21 just doing exercises.

22 BY MR. SMITH:

23 Q. Okay. Who sponsored this training?

24 MR. HOFFMAN: Objection. You can

1 answer.

2 THE WITNESS: I don't know him.

3 BY MR. SMITH:

4 Q. Well, was there an organization that sponsored
5 this training?

6 MR. HOFFMAN: Same objection. You
7 can answer.

8 THE WITNESS: I know it was a group.

9 BY MR. SMITH:

10 Q. What was the name of the group?

11 A. Harakati Ansari.

12 Q. Can you spell that, please.

13 A. H-A-R-A-K-A-T-I. Then, the other one is
14 A-N-S-A-R-I.

15 (Discussion between Interpreter
16 Odanga and witness.)

17 INTERPRETER ODANGA: Oh, there's no
18 "I" at the end. It's just "R" at the end.

19 Q. Is that one person or two people?

20 A. What?

21 Q. Harakati Ansar, is that the name of a person
22 or a group?

23 A. Group.

24 Q. And what was the purpose of this group?

1 INTERPRETER ODANGA: I interpreted
2 what --

3 INTERPRETER KENDAGOR: Maybe --

4 INTERPRETER ODANGA: -- Mr. Salim
5 said.

6 MR. SMITH: I'm sorry. We can't
7 talk over each other.

8 INTERPRETER ODANGA: I interpreted
9 what Mr. Salim said.

10 MR. SMITH: You interpreted what he
11 said. Okay.

12 Let's go back to the question and
13 the answer that was given.

14 INTERPRETER ODANGA: Sure.

15 MR. SMITH: And let's see if we can
16 all agree what the witness said.

17 INTERPRETER ODANGA: Yes.

18 MR. SMITH: Probably easier said
19 than done by the court reporter.

20 COURT REPORTER: It's going to take
21 a minute.

22 MR. SMITH: Take a minute.

23

24 (Whereupon, the record was read back

1 by the court reporter as follows:

2 "THE WITNESS: All I knew was that
3 we were going to fight Kashmir.")

4 INTERPRETER ODANGA: You want me to
5 ask the question again?

6 MR. SMITH: No.

7 Are you saying that you disagree
8 with that?

9 INTERPRETER KENDAGOR: No. I -- I
10 -- I think what he -- what I heard him say, he
11 didn't say that we were going to fight the
12 Kashmir. He said that group was going to
13 fight the --

14 MR. SMITH: Let me see if I can
15 clean this up.

16 BY MR. SMITH:

17 Q. Mr. Salim, you were at a training camp
18 learning, among other things, how to shoot
19 weapons, right?

20 A. Yes.

21 Q. And those weapons were AK-47s, right?

22 A. Yes.

23 Q. And .9 millimeters, right?

24 A. I don't know.

1 Q. Okay. What were the other types of weapons
2 that you learned to shoot?

3 A. None.

4 Q. Just the AK-47s?

5 A. Yes.

6 Q. Were you also trained in hand-to-hand combat?

7 INTERPRETER ODANGA: Hand-to-hand?

8 MR. SMITH: Hand-to-hand combat.

9 A. No.

10 Q. What else were you trained in by way of
11 warfare at this camp in addition to learning
12 how to shoot AK-47s?

13 A. None.

14 Q. Let's just jump to -- that's okay.

15 Why did you go to this camp?

16 A. I want to clarify something. I was using
17 illicit drugs. Fahidi -- Fahid told me that
18 the only way I can quit using drugs, I can go
19 to Afghanistan -- Pakistan and, then, I can
20 learn other ways and I will also learn some
21 Muslim prayers and that will help me to quit
22 drug, using drug.

23 Q. So you're saying you went to this camp where
24 you were trained on how to shoot an AK-47 so

1 that you could try to overcome your illicit
2 drug problem?

3 MR. HOFFMAN: Objection and you can
4 answer.

5 THE WITNESS: I'll say it again. He
6 told me that we were going to go to Pakistan
7 -- he told me I was going to Pakistan to get
8 some education. He didn't tell me I was going
9 to Afghanistan.

10 BY MR. SMITH:

11 Q. So why did you go to this camp to be trained
12 to shoot AK-47s?

13 MR. HOFFMAN: Objection. You can
14 answer.

15 THE WITNESS: When we arrived to
16 Pakistan, they told me that the school is not
17 there, it's in Afghanistan.

18 BY MR. SMITH:

19 Q. Okay. What was the school that you were
20 looking for in Pakistan?

21 A. He gave me somebody's name that, when I
22 arrived there, that would be the mosque and
23 that I was supposed to get my education at
24 that mosque.

1 Q. Who gave you this information?

2 A. Fahid.

3 Q. The same Fahid that we've been talking about
4 since we started your deposition?

5 A. Yes.

6 Q. So when you left Pakistan for Afghanistan, did
7 you know that you were going to be trained to
8 shoot an AK-47?

9 A. I did not know.

10 Q. So when you got there, why didn't you leave
11 when you found out?

12 A. When I told him, it was a lot of back and
13 forth fighting. I had no ticket to come back.
14 He told me to wait for the ticket.

15 Q. Let's go back to Exhibit No. 1. I'm directing
16 your attention to paragraph 4, item 6, where
17 it says, in this government document, quote:
18 "Abdullah had obtained a fake Kenyan
19 identification card which indicated that his
20 name was Issa Abdikadir Mohamed."

21 Do you see where it says that?

22 MR. HOFFMAN: There's no question.

23 BY MR. SMITH:

24 Q. The question is, do you see that?

1 MR. HOFFMAN: Do you see it.

2 THE WITNESS: I told you in the
3 beginning and the other -- the name was Issa.
4 It wasn't my I.D., identification card, it's
5 just something that I picked up.

6 BY MR. SMITH:

7 Q. Mr. Salim, did you ever tell an official from
8 the United States government, in connection
9 with an interrogation, that you had obtained a
10 fake Kenyan identification card which
11 indicated your name as Issa Abdikadir Mohamed?
12 Did you ever tell anyone that?

13 MR. HOFFMAN: Objection. You can
14 answer.

15 INTERPRETER ODANGA: I just want to
16 clarify something. Did you ever tell Kenyan
17 or anybody?

18 MR. SMITH: Read the question back.
19 (Whereupon, the record was read back
20 by the court reporter as follows:
21 "Did you ever tell an official from
22 the United States government.")

23 INTERPRETER ODANGA: Okay. Thank
24 you.

1 Q. How many people were there while you were
2 there?

3 A. I don't know.

4 Q. Was it more than a hundred?

5 A. I can't know.

6 Q. Okay. And your testimony is that you either
7 slept in a mosque or you slept outside?

8 MR. HOFFMAN: Objection.

9 THE WITNESS: In a mosque or tent.

10 BY MR. SMITH:

11 Q. In a tent, okay.

12 And who fed you?

13 A. We were being fed by the people there.

14 Q. Who paid for the food?

15 A. I don't know.

16 Q. Did you receive any form of compensation for
17 this training?

18 A. No.

19 Q. So how were you able to pay your bills while
20 you were off at this camp for six months?

21 MR. HOFFMAN: Objection. You can
22 answer.

23 THE WITNESS: There are no bills.

24 BY MR. SMITH:

1 Q. So you had no expenses in your life at this
2 time?

3 MR. HOFFMAN: Objection. You can
4 answer.

5 THE WITNESS: No.

6 BY MR. SMITH:

7 Q. Who paid for your clothing?

8 MR. HOFFMAN: Objection.

9 THE WITNESS: The same clothes that
10 I came with.

11 BY MR. SMITH:

12 Q. I see.

13 And did you have any understanding
14 of who was paying for the food that was going
15 to all the trainees?

16 A. I don't know.

17 Q. And why did the training end after six months?

18 MR. HOFFMAN: Objection. You can
19 answer.

20 THE WITNESS: I -- I did not train
21 for six months, but I stayed there for six
22 months.

23 BY MR. SMITH:

24 Q. How long did you train?

1 A. One time.

2 Q. What does that mean, for one day?

3 A. Yes.

4 Q. And then did you refuse to train thereafter?

5 A. I refused.

6 Q. And how did you get out of the camp?

7 A. There's a car that came and took me, then I
8 went to -- I got the plane and then I went to
9 Tanzania.

10 Q. Who paid for the car?

11 A. Fahid.

12 Q. Who paid for the plane?

13 A. Fahid.

14 Q. Why did you refuse to train after one day?

15 A. I didn't want to stay there. Fahid kept on
16 telling me to keep on staying there, but after
17 training that one day, I didn't want to do it.

18 Q. And how were you in communication with Fahid?

19 A. Where?

20 Q. While you were at the camp.

21 A. Sometimes I would see him sometimes at the
22 mosque, sometimes we were not seeing each
23 other.

24 Q. So he was at the camp, too?

1 A. Yes.

2 Q. And did you arrive together at the camp?

3 A. No.

4 Q. Was he there before you?

5 A. Yes.

6 Q. How much before you did he arrive?

7 MR. HOFFMAN: Objection. You can
8 answer.

9 THE WITNESS: I don't know.

10 BY MR. SMITH:

11 Q. And did he train during the period of time
12 that you were at the camp?

13 MR. HOFFMAN: Objection.

14 THE WITNESS: I never saw him.

15 BY MR. SMITH:

16 Q. You have no understanding if he was getting
17 trained to shoot weapons and learn how to deal
18 with explosives while you were at the camp?

19 MR. HOFFMAN: Objection. You can
20 answer.

21 THE WITNESS: I don't know.

22 BY MR. SMITH:

23 Q. Did you ever ask him at any time thereafter
24 about his training?

1 A. No.

2 Q. Never discussed it with him?

3 A. Never.

4 Q. And when you left the camp, you returned to
5 Tanzania?

6 A. Yes.

7 Q. To do what?

8 A. That's my home.

9 Q. Okay. What did you do there?

10 A. I did not have any job. I was just sitting at
11 my friend's store.

12 Q. Friend's?

13 INTERPRETER ODANGA: The friend had
14 a store so he would just sit at the store.

15 Q. Okay. And how long did you sit at the store
16 in Tanzania before you got a job?

17 A. Not too long.

18 Q. And did you ever have any other training other
19 than what you've told me about so far?

20 MR. HOFFMAN: Objection. You can
21 answer.

22 THE WITNESS: Never.

23 BY MR. SMITH:

24 Q. Mr. Salim, what is your understanding of

1 Al-Qaeda?

2 A. I don't -- I don't understand anything.

3 Q. Your testimony is that you have no
4 understanding of Al-Qaeda, is that correct?

5 MR. HOFFMAN: Objection. You can
6 answer.

7 THE WITNESS: Like what?

8 BY MR. SMITH:

9 Q. Like your understanding.

10 MR. HOFFMAN: Objection. You can
11 answer.

12 THE WITNESS: I know they are bad
13 people. They bomb. That's what I understand.

14 BY MR. SMITH:

15 Q. Do you understand that it's a group that is
16 committed to trying to do injury to the United
17 States?

18 A. That one, I don't understand.

19 Q. You don't. Do you know anyone that's
20 affiliated with Al-Qaeda?

21 A. I don't know.

22 Q. Did you ever?

23 A. No.

24 Q. Did you ever admit to US officials that you

1 Q. And did they tell you whether or not they were
2 -- these Americans were affiliated with the
3 United States government?

4 A. No, they didn't tell me.

5 Q. Did you have any understanding of whether or
6 not these Americans who ran this facility that
7 you call darkness were affiliated with the
8 United States government?

9 A. Yes.

10 MR. SMITH: Could you read back the
11 question, madam court reporter.

12 (Whereupon, the last question was
13 read back by the court reporter.)

14 BY MR. SMITH:

15 Q. What was your understanding?

16 INTERPRETER ODANGA: He's just
17 asking that I repeat the whole question.

18 MR. SMITH: Sure.

19 INTERPRETER ODANGA: Okay. Let me
20 read.

21 (Translating.)

22 THE WITNESS: I knew them as CIAs.

23 BY MR. SMITH:

24 Q. And what was the basis for your belief that

1 they were CIA agents?

2 A. They told me.

3 Q. Did any of them tell you their names?

4 A. No.

5 Q. Now, during the period of time that you were
6 held at this facility called darkness, were
7 you interrogated by the CIA agents?

8 A. Yes.

9 Q. And do you have any memory of those
10 interrogations?

11 A. Questions like where are you from, where were
12 you born, things like that.

13 Q. Anything else that you remember?

14 A. I don't remember.

15 Q. How many times do you think you were
16 interrogated during the period of time that
17 you were held at the facility that you call
18 darkness?

19 A. I cannot recall how many times, but it was
20 almost for two months.

21 Q. Almost for two months?

22 A. All the days that I was in there, they
23 interrogated me.

24 Q. So your memory is every day or almost every

1 day, you were interrogated?

2 A. It was almost every day.

3 Q. Okay. And can you describe for me what would
4 happen during these interrogations?

5 MR. HOFFMAN: Objection, but you can
6 answer.

7 THE WITNESS: How?

8 BY MR. SMITH:

9 Q. Well, you were taken into a room, I take it,
10 right?

11 MR. HOFFMAN: Objection. You can
12 answer.

13 THE WITNESS: Which room?

14 BY MR. SMITH:

15 Q. When you were in darkness, were you kept in a
16 cell?

17 A. Like a room.

18 Q. Okay. Were other people kept in the room,
19 too, or were you kept there alone?

20 A. Myself.

21 Q. Okay. And when these CIA people would come to
22 interrogate you, did they interrogate you in
23 that room or in another room?

24 MR. HOFFMAN: Objection. You can

1 answer.

2 THE WITNESS: Another room.

3 BY MR. SMITH:

4 Q. Okay. So they would escort you into another
5 room?

6 A. Yes.

7 Q. Do you know what the room looked like?

8 A. I can remember one, it was just a big place
9 like this.

10 Q. Okay. And were there lights, no lights?

11 MR. HOFFMAN: Objection. You can
12 answer.

13 THE WITNESS: Not too much light.

14 BY MR. SMITH:

15 Q. Okay. And how many people would be in there
16 in addition to yourself?

17 A. I don't understand.

18 Q. Well, you would go into this room to be
19 interrogated, how many people in addition to
20 yourself were in the room?

21 MR. HOFFMAN: Objection. You can
22 answer.

23 THE WITNESS: There were a lot of
24 people.

1 BY MR. SMITH:

2 Q. A lot of people.

3 A. Sometimes just one person.

4 Q. Okay. So it would depend upon which day it
5 was?

6 A. Yeah, it depends.

7 Q. Okay. So can you describe for me, when you
8 were taken into the room, what occurred during
9 the interrogation?

10 MR. HOFFMAN: Objection. You can
11 answer.

12 THE WITNESS: So many things
13 happened, so I don't know where to start.

14 BY MR. SMITH:

15 Q. Okay. So tell me what your best recollection
16 is. And if different things happened on
17 different days, then just describe for me what
18 you remember on any given day.

19 MR. HOFFMAN: Objection. You can
20 answer.

21 THE WITNESS: I remember being put
22 in a box. I remember being hanged.
23 (Gesturing.)

24 I remember being naked and a big

1 light -- they put a light on my face.

2 I remember being put on the ground
3 in a plastic bag and water is being poured on
4 me. And there was a plastic jug, plastic
5 water jug being put -- they were knocking my
6 rectal area with it.

7 I remember being put on a table and,
8 then, I was tied around while being taken
9 around.

10 I remember there were two boxes,
11 they were -- there's one that was being put on
12 the ground and there was one that was also
13 standing position.

14 I remember being tied on the wall,
15 handcuffed to the wall. I couldn't go up or
16 come down. I also remember being handcuffed
17 and naked in the room with not any clothes on.

18 I remember being put on something
19 like a hospital bed, my -- my hands tied to
20 both sides of bed. They put something like an
21 injection on me and I lost my conscious.

22 I remember, also, them putting a
23 cloth around -- tying a cloth around my neck
24 and, then, they were punching me on the wall,

1 punching.

2 At the present time, I can't recall
3 anything; if I do, I will let you know.

4 BY MR. SMITH:

5 Q. Okay. Now, what you just described, did these
6 occur in the interrogation room or in the cell
7 that you were being detained or both?

8 MR. HOFFMAN: Objection, but you can
9 answer.

10 THE WITNESS: Being tied on the wall
11 was at the dark room, the room where I was
12 staying. The other ones, it was different
13 places, but the same place, another room.

14 BY MR. SMITH:

15 Q. Where the interrogations took place?

16 A. They were doing it in different rooms. At the
17 interrogation place was where they were
18 putting lights on my face.

19 Q. Okay. And where did these other things happen
20 to you, sir?

21 A. Different rooms.

22 Q. How many times were you injected?

23 A. I can't remember whether it was once or twice.

24 Q. And when you recovered, when you regained your

1 consciousness, did you suffer any effects from
2 the injection?

3 A. I can't remember.

4 Q. And did you ever learn what you were injected
5 with?

6 A. No.

7 Q. How many times were you put on plastic and
8 water was poured on you?

9 A. Can't remember.

10 Q. Was it more than once?

11 A. Yes.

12 Q. Okay. But you just don't know beyond that?

13 A. Yes.

14 Q. Okay. And did you suffer any injuries from
15 being put on the ground in this plastic and
16 this water poured on you?

17 A. Yes.

18 Q. What injuries did you suffer?

19 A. My chest was -- my chest, my heart was beating
20 so fast, my jaws were shaking, and that was
21 causing a lot of pain.

22 Q. Okay.

23 A. My -- I had -- I already had a fracture on my
24 finger, but because of the torture that they

1 injuries as a result of that dizziness?

2 A. Yes.

3 Q. What are the long-term injuries?

4 A. I still have dizziness.

5 Q. And what is the basis for you to believe that
6 your dizziness, presently, is as a result of
7 being spun on that table?

8 A. Because they had tortured me a lot, I was very
9 weak and I had no strength. I could not -- I
10 didn't have any strength. I did not eat
11 anything. And ever since that happened, I've
12 been experiencing the dizziness.

13 Q. Tell me about the dizziness.

14 A. Like what?

15 Q. Were you dizzy today?

16 A. No.

17 Q. When is the last time you experienced a dizzy
18 event?

19 A. I can't remember.

20 Q. Now, you said that you were put in a box. Do
21 you remember that?

22 A. Yes.

23 Q. And as I appreciate what you said, sir, one
24 box was vertical and one box was horizontal,

1 is that right?

2 A. Yes.

3 Q. How many times were you put in a box and laid
4 in the box horizontally?

5 INTERPRETER ODANGA: Horizontal is
6 this? (Gesturing.)

7 MR. SMITH: Horizontal would be that
8 way, yeah.

9 A. I can't remember.

10 Q. Was it more than once?

11 A. I can't remember.

12 Q. How many times were you put in a box where you
13 stood up vertically?

14 A. I can't remember.

15 Q. How long did you stay in the box where you
16 were put in vertically?

17 A. I'm just thinking that it was about 30
18 minutes.

19 Q. And how long did you stay in the box when you
20 were in a horizontal position?

21 A. It was a little more, but I can't remember.

22 Q. Less than an hour?

23 A. At times, they would put me there, then they'd
24 go and beat me, and then they'd come and put

1 me there and sometimes they just leave me
2 there.

3 Q. So you're saying that the CIA agents beat you,
4 as well?

5 A. When they were interrogating me, I don't know
6 if they are the one that were interrogating me
7 or not.

8 Q. Who beat you?

9 A. Somebody.

10 Q. Was it an American?

11 A. Yes.

12 Q. Okay. Was it a CIA agent?

13 A. I don't know.

14 Q. How many times were you beaten?

15 A. Ever since I was there, it was totally.

16 Q. But I'm trying to understand in greater
17 detail. We're on your -- the period that you
18 were in this what you call darkness for two
19 months. Are you with me?

20 A. Yes.

21 Q. And is it your testimony that you were beaten
22 on a daily basis?

23 A. Not every day.

24 Q. Okay. But, periodically, you were beaten by

1 whoever these people were?

2 MR. HOFFMAN: Objection, but you can
3 answer.

4 THE WITNESS: Yes.

5 BY MR. SMITH:

6 Q. Okay. Can you describe for me what you
7 endured in these beatings?

8 A. I already told you.

9 Q. I don't think you did.

10 A. I told you that they tied a cloth on my neck
11 and they were punching me.

12 Q. Okay.

13 A. They were putting me down and -- they were
14 putting me down and kicking me.

15 Q. Okay. And you don't remember how many times
16 this happened while you were in darkness?

17 MR. HOFFMAN: Objection. You can
18 answer.

19 THE WITNESS: I don't remember.

20 BY MR. SMITH:

21 Q. And where did they punch you?

22 MR. HOFFMAN: Objection.

23 (Witness gesturing.)

24 BY MR. SMITH:

1 Q. In the chest?

2 A. (Gesturing.)

3 MR. HOFFMAN: He's pointing at the
4 stomach.

5 BY MR. SMITH:

6 Q. Where did they kick you, sir?

7 A. Tummy.

8 Q. Okay. Same place that they punched you?

9 A. The kicking was more on the lower abdomen.

10 Q. Okay. All right. Now, you also said that
11 during this period you were hanged.

12 Do you remember that?

13 A. Yes.

14 Q. Was that in your cell?

15 A. No.

16 Q. It was in the interrogation room?

17 A. No.

18 Q. Where were you hanged?

19 A. Another room.

20 Q. Okay. And can you describe for me how you
21 were hanged?

22 A. (Gesturing.) There was like a pipe up there,
23 then I was handcuffed, and then it was tied
24 there and I was standing.

1 Q. Okay. And how long -- strike that.

2 How many times were you hanged like
3 that by the pipe?

4 A. I can't remember.

5 Q. Okay. Was it more than once?

6 A. Yes.

7 Q. Okay. And what happened to you while you were
8 hanging by the pipe?

9 A. A lot of pain in my arms, a lot of pains in my
10 back and around my waist.

11 Q. And did anyone beat you while you were hanging
12 from that pipe?

13 A. I can't remember.

14 Q. Okay. And did you suffer any permanent damage
15 as a result of being hanged by that pipe,
16 permanent injury?

17 A. Yes.

18 Q. Can you describe for me what the injuries are?

19 A. My back. My waist.

20 Q. Now, you said that you were also tied to a
21 wall. Do you remember that?

22 A. Yes.

23 Q. Was this a wall in your cell where you were
24 kept or some other place?

1 A. The cell where I was kept.

2 Q. Okay. And can you describe for me how you
3 were shackled or tied to the wall?

4 A. So this is the wall. (Gesturing.)

5 Q. Yes.

6 A. There's something tied to it, like a ring.

7 Q. Yes.

8 A. My hand is handcuffed.

9 Q. Yes.

10 A. They come and tie it to that ring.

11 (Gesturing.) It's something that would not
12 let me sit down or cannot let me stand.

13 Q. How many times, while you were in this
14 facility that you call darkness, were you tied
15 to the wall like that?

16 A. I can't recall how many times.

17 Q. Did you suffer any injuries as a result of it?

18 A. Yes.

19 Q. Can you tell me what those injuries are?

20 A. My waist. My -- the pain in my fingers
21 intensified.

22 Q. Anything else?

23 A. I can't remember.

24 Q. Do you presently have any injuries to your

1 waist as a result of being tied to the wall,
2 as you described?

3 A. Yes.

4 Q. And what are those injuries?

5 A. It's painful.

6 Q. Can you describe for me the pain?

7 A. I can't describe how painful it was.

8 Q. Do you presently experience the pain?

9 A. Yes.

10 Q. Can you describe for me the pain that you feel
11 presently?

12 A. Maybe I need to tie you here so that -- for
13 one hour so you can feel the pain, if you want
14 to know the pain.

15 MR. HOFFMAN: Can we take a break?

16 MR. SMITH: We can take a break.

17 VIDEOGRAPHER: The time is 3:45.

18 We're off the record.

19 (Brief pause.)

20 VIDEOGRAPHER: We're back on the
21 record. The time is 4:01.

22 BY MR. SMITH:

23 Q. Mr. Salim, are you able to go forward?

24 A. I'm fine.

1 Q. Okay. And as I said to you off the record,
2 sir, I don't mean to be insensitive and I hope
3 you understand I have a job to do.

4 And if you find yourself moving to a
5 point where you want to take a break, just
6 wave your hands or tell me, we'll go off the
7 record and we'll figure out how to avoid these
8 moments for you, if we can. All right?

9 A. Fine.

10 Q. Okay. Now, Mr. Salim, before we went off the
11 record, I was trying to understand if you have
12 any present injuries as a result of being
13 shackled to the wall, as you describe.

14 A. Yes.

15 Q. Okay. Can you describe for me what the
16 present injuries are?

17 A. I feel like we should not go too much into
18 that because it's going to remind me of other
19 things.

20 Q. Okay. So why don't we see if there's a time
21 later today or tomorrow that we can pick that
22 up.

23 A. That is good.

24 Q. Okay. Mr. Salim, the other matter that you

1 described during the period of time that you
2 were at darkness was that you were brought
3 into an interrogation facility naked and a
4 light was shined in your face while you were
5 asked questions.

6 Do you remember you told me about
7 that?

8 A. Yes.

9 Q. How many times did that happen?

10 A. The one with the light was once.

11 Q. And did you sustain any injuries as a result
12 of that?

13 A. I have eye problem.

14 Q. Okay. And did anyone ever tell you that the
15 eye problem that you have is related to that
16 event that occurred to you that you described
17 in darkness?

18 A. Nobody.

19 Q. Okay. Did you ever seek treatment from a
20 doctor for this eye problem?

21 A. Yes.

22 Q. And did the doctor tell you what exactly your
23 problem is with your eyes?

24 A. I did not know English that very well, but I

1 remember they gave me the eyeglasses in
2 Bagram.

3 Q. And do you have any memory of a doctor telling
4 you what exactly your problem was with your
5 eye?

6 Is it one eye or both eyes, by the
7 way?

8 A. Both.

9 Q. And do you remember what the doctor telling
10 you the problem was with both eyes?

11 A. I don't remember.

12 Q. Okay. Do you presently wear eyeglasses?

13 A. I don't.

14 Q. Why did you stop wearing them?

15 A. I don't want to.

16 Q. Why not?

17 A. I don't want to.

18 Q. Is it because you don't like them on your
19 face? What's the reason why you don't want to
20 wear them?

21 A. I just think it will make the problem, it will
22 worsen the problem.

23 Q. Did anyone tell you that wearing eyeglasses
24 would worsen the problem with your eyes?