

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

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1 today?  
 2 A. No.  
 3 Q. I want to direct your attention -- well, let  
 4 me identify it for the record. This is a  
 5 document that was produced by the United  
 6 States government, it bears Bates labels  
 7 001530 through 1538.  
 8 I want to direct your attention,  
 9 sir, to the first page of Exhibit No. 1. Do  
 10 you have it before you?  
 11 A. Fine.  
 12 MR. SMITH: Margaret, do you have  
 13 the document before you?  
 14 INTERPRETER ODANGA: I was going to  
 15 take it, but Paul, you --  
 16 MR. HOFFMAN: What do you need?  
 17 It's there.  
 18 BY MR. SMITH:  
 19 Q. Okay. I want to read from first paragraph.  
 20 Do you see where it says "Action Required,"  
 21 and then there's redacted information.  
 22 "Candidates qualify to be transferred to the  
 23 joint interrogation facility provided," then  
 24 there's a space that's been redacted by the

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1 government, "agrees to, one, provide more  
 2 capture data as stated below prior to transfer  
 3 of enemy combatants."  
 4 Let me stop right there.  
 5 A. (Translating.)  
 6 INTERPRETER ODANGA: Can you just  
 7 say it, then I translate it, because I have  
 8 trouble reading small writing.  
 9 MR. SMITH: Sure.  
 10 INTERPRETER ODANGA: Like just say  
 11 it and, then, I'll translate it.  
 12 MR. SMITH: I'm sorry, Margaret, I'm  
 13 not understanding what you're asking me to do.  
 14 INTERPRETER: I'm saying I don't  
 15 have my glasses to read.  
 16 MR. SMITH: Oh.  
 17 INTERPRETER ODANGA: So I'm having  
 18 trouble reading.  
 19 MR. SMITH: Okay.  
 20 INTERPRETER ODANGA: So if you could  
 21 just read it and you pause, I'll translate it  
 22 for him what you're saying here.  
 23 MR. SMITH: Okay.  
 24 INTERPRETER ODANGA: Yeah.

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1 MR. SMITH: Do you have your glasses  
 2 that you can get them or...  
 3 INTERPRETER ODANGA: No. No. No.  
 4 I don't have them.  
 5 MR. SMITH: Oh, okay. All right.  
 6 BY MR. SMITH:  
 7 Q. Do you see -- does the witness see and  
 8 understand the first sentence that we've read  
 9 so far?  
 10 MR. HOFFMAN: Objection.  
 11 THE WITNESS: I don't understand.  
 12 BY MR. SMITH:  
 13 Q. He doesn't understand the first sentence?  
 14 MR. HOFFMAN: Objection.  
 15 THE WITNESS: I don't understand.  
 16 BY MR. SMITH:  
 17 Q. Were you ever told by anyone from the United  
 18 States government that you were being held as  
 19 an enemy combatant?  
 20 A. Never.  
 21 Q. Read on in the same paragraph, the next  
 22 sentence, it says: "Present the candidates to  
 23 the Detainee Review Board for low level enemy  
 24 combatant (LLEC) status."

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1 Let me stop right there. Do you see  
 2 that?  
 3 A. I don't understand it.  
 4 Q. Okay. Were you ever told that you would  
 5 appear before the Detainee Review Board for  
 6 low level enemy combatant status?  
 7 A. Never.  
 8 Q. Did you ever appear before the Detainee Review  
 9 Board?  
 10 A. I don't understand.  
 11 Q. Did you ever appear before the Detainee Review  
 12 Board while you were held captive by the  
 13 United States government?  
 14 MR. HOFFMAN: Objection, but he can  
 15 answer.  
 16 THE WITNESS: No.  
 17 BY MR. SMITH:  
 18 Q. Turn, if you would, to Bates page last four  
 19 digits 1534 of Exhibit 1.  
 20 MR. HOFFMAN: It's two pages in.  
 21 BY MR. SMITH:  
 22 Q. Do you see where it says in paragraph 3:  
 23 "Suleiman Abdullah was captured," and then  
 24 there's a space, "Abdullah is a Tanzanian

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1 national suspected of involvement in  
 2 Al-Qaeda's East Africa cell."  
 3 Let me stop right there.  
 4 A. (Translating.)  
 5 INTERPRETER ODANGA: Sorry. Can you  
 6 just repeat that again?  
 7 MR. SMITH: Which part do you want  
 8 me to repeat?  
 9 INTERPRETER ODANGA: Just after he  
 10 was captured.  
 11 BY MR. SMITH:  
 12 Q. "Abdullah is a Tanzanian national suspected of  
 13 involvement in Al-Qaeda's East Africa cell" is  
 14 what I read.  
 15 A. (Translating.)  
 16 Q. Did the United States government ever tell you  
 17 that you were suspected of involvement in  
 18 Al-Qaeda's East Africa cell?  
 19 MR. HOFFMAN: Objection. You can  
 20 answer.  
 21 THE WITNESS: They've never told me.  
 22 BY MR. SMITH:  
 23 Q. Reading on, it says: "Specifically as a  
 24 facilitator of Al-Qaeda's 1998 attacks against

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1 the US embassies in Nairobi, Nairobi, Kenya,  
 2 and Dar es Salaam, Tanzania."  
 3 Do you see that?  
 4 MR. HOFFMAN: Is there a question?  
 5 MR. SMITH: The question is the  
 6 question that was asked, Mr. Hoffman. If you  
 7 don't remember it, you can --  
 8 MR. HOFFMAN: I don't.  
 9 MR. SMITH: -- ask the court  
 10 reporter to read it back.  
 11 MR. HOFFMAN: Okay. Could you read  
 12 it back. Thanks.  
 13 (Whereupon, the record was read back  
 14 by the court reporter as follows:  
 15 "Reading on, it says: 'Specifically  
 16 as a facilitator of Al-Qaeda's 1998  
 17 attacks against the US embassies in  
 18 Nairobi, Nairobi, Kenya, and  
 19 Dar es Salaam, Tanzania.'  
 20 "Do you see that?")  
 21 MR. HOFFMAN: Do you see that, okay.  
 22 (Translating.)  
 23 THE WITNESS: Are you telling me  
 24 that I was involved?

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1 BY MR. SMITH:  
 2 Q. No. What I'm asking you is -- I'll ask the  
 3 question differently.  
 4 Were you ever asked by United States  
 5 government officials whether or not you were a  
 6 facilitator of Al-Qaeda's 1998 attacks against  
 7 US embassies in Nairobi, Kenya, and  
 8 Dar es Salaam, Tanzania? Did they ever ask  
 9 you that?  
 10 MR. HOFFMAN: Objection.  
 11 THE WITNESS: They never asked me.  
 12 BY MR. SMITH:  
 13 Q. Reading on in that same paragraph, it says:  
 14 "Abdullah denied having detailed prior  
 15 knowledge of the 1998 embassy attacks." Let  
 16 me stop right there.  
 17 A. (Translating.)  
 18 Q. Did you ever deny to United States government  
 19 officials that you had detailed prior  
 20 knowledge of the 1998 embassy attacks?  
 21 MR. HOFFMAN: Objection, but you can  
 22 answer.  
 23 THE WITNESS: Repeat, again, the  
 24 question.

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1 BY MR. SMITH:  
 2 Q. Did you ever deny to United States government  
 3 officials that you had any detailed prior  
 4 knowledge of the 1998 embassy attacks?  
 5 MR. HOFFMAN: Objection. You can  
 6 answer.  
 7 THE WITNESS: They did not tell me  
 8 directly that I was involved.  
 9 BY MR. SMITH:  
 10 Q. I'm not asking that. I'm asking, did you ever  
 11 deny to the United States government officials  
 12 that you had any detailed prior knowledge of  
 13 the 1998 embassy attacks? Yes or no.  
 14 MR. HOFFMAN: Objection. You can  
 15 answer.  
 16 Is there an issue?  
 17 INTERPRETER KENDAGOR: I just wanted  
 18 to, maybe, use another phrase to -- to clarify  
 19 to him what the question was.  
 20 MR. SMITH: Samuel, let me ask, your  
 21 job, at least as I appreciate it, is to make  
 22 sure that the interpretation that Margaret is  
 23 giving, you believe, is an accurate one.  
 24 INTERPRETER KENDAGOR: No. She's

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1 asking it correctly.  
 2 MR. SMITH: Okay.  
 3 INTERPRETER KENDAGOR: But --  
 4 MR. SMITH: Then, I think we  
 5 should --  
 6 INTERPRETER KENDAGOR: -- there were  
 7 some --  
 8 MR. SMITH: Yeah. I can't comment  
 9 on that, but my job is to make sure that she  
 10 asks the questions in what we all believe to  
 11 be an accurate translation.  
 12 I don't know if it's accurate or  
 13 not, but you do. If you have a problem with  
 14 it, raise your hand; if you don't, if she did  
 15 it accurately, then I want her to ask my  
 16 question exactly the way I asked it.  
 17 INTERPRETER KENDAGOR: Okay.  
 18 MR. SMITH: And if we need to go off  
 19 the record, I'm happy to do that, if there's  
 20 some better way to do this, but I don't want  
 21 there to be any translation in between so that  
 22 the question the witness is answering isn't  
 23 exactly the one that I asked him, if you  
 24 follow what I'm saying.

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1 INTERPRETER KENDAGOR: Yes.  
 2 BY MR. SMITH:  
 3 Q. Okay. Now, having said all that, does the  
 4 witness remember the question?  
 5 A. I have never been asked any question regarding  
 6 my involvement with attack.  
 7 Q. Okay. So you never denied having detailed  
 8 knowledge of the 1998 embassy attacks to any  
 9 United States officials?  
 10 MR. HOFFMAN: Objection. You can  
 11 answer.  
 12 THE WITNESS: Reframe the question.  
 13 MR. SMITH: Well, let me have the  
 14 court reporter read it back.  
 15 (Whereupon, the last question was  
 16 read back by the court reporter.)  
 17 BY MR. SMITH:  
 18 Q. Let me ask you, sir, what about that question  
 19 don't you understand?  
 20 A. Your question is you want to know if I've ever  
 21 denied involvement in the attack?  
 22 Q. No. If he ever denied having detailed prior  
 23 knowledge of the attacks in 1998 on the  
 24 embassy facilities mentioned in that

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1 paragraph.  
 2 MR. HOFFMAN: Objection. You can  
 3 answer.  
 4 THE WITNESS: I refuse.  
 5 MR. SMITH: I'm sorry?  
 6 INTERPRETER ODANGA: He said "I  
 7 refuse."  
 8 MR. SMITH: He refuses to answer the  
 9 question?  
 10 (Translating.)  
 11 THE WITNESS: So I answered the  
 12 question when you asked me if I was involved  
 13 in the attack of the embassy.  
 14 BY MR. SMITH:  
 15 Q. That wasn't my question. Mr. Salim, listen  
 16 very carefully to my question, please.  
 17 A. That's why I've asked twice.  
 18 Q. Okay. So listen carefully. This document  
 19 that was produced by the United States  
 20 government says that you denied having  
 21 detailed prior knowledge of the 1998 embassy  
 22 attacks.  
 23 A. (Translating.)  
 24 Q. Did you deny to American officials that you

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1 had detailed prior knowledge of the 1998  
 2 embassy attacks, as it states in this  
 3 document?  
 4 MR. HOFFMAN: Objection. Objection.  
 5 You can answer.  
 6 THE WITNESS: Yes.  
 7 BY MR. SMITH:  
 8 Q. Okay. So you were questioned about whether or  
 9 not you had knowledge of the attacks in  
 10 Nairobi and in Dar es Salaam by US officials,  
 11 isn't that correct?  
 12 A. I don't remember that question.  
 13 Q. Reading on in this document produced by the  
 14 government, it says, quote: "But admitted  
 15 that he was aware of impending attacks."  
 16 Let me stop right there. Did you  
 17 admit to the United States government rep --  
 18 or to United States government representatives  
 19 that you were aware of impending attacks?  
 20 MR. HOFFMAN: Objection.  
 21 THE WITNESS: No.  
 22 BY MR. SMITH:  
 23 Q. What's his answer?  
 24 A. No.

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1 Q. Okay. Reading on in the document produced by  
 2 the government, it says: "And admitted that  
 3 he was recruited as a facilitator by Al-Qaeda  
 4 operatives."  
 5 Let me stop right there.  
 6 INTERPRETER ODANGA: I didn't get  
 7 that quite.  
 8 BY MR. SMITH:  
 9 Q. Sure. Reading on in this document produced by  
 10 the government, it says: "And admitted that  
 11 he was recruited as a facilitator by Al-Qaeda  
 12 operatives."  
 13 A. No.  
 14 Q. You never admitted that to the government, US  
 15 government?  
 16 MR. HOFFMAN: Objection.  
 17 THE WITNESS: No.  
 18 BY MR. SMITH:  
 19 Q. In this document, it says that he was -- or  
 20 that he "admitted that he was recruited as a  
 21 facilitator by Al-Qaeda operatives for his  
 22 local knowledge, language skills and  
 23 boat-driving ability."  
 24 Did you ever admit those things to

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1 the United States government?  
 2 MR. HOFFMAN: Objection, but you  
 3 can --  
 4 THE WITNESS: No.  
 5 MR. HOFFMAN: No, okay.  
 6 BY MR. SMITH:  
 7 Q. You never admitted that?  
 8 A. No.  
 9 Q. Reading on in the next paragraph, it says,  
 10 paragraph 4: "Evidence: Custodial debriefing  
 11 sessions of Abdullah revealed the following  
 12 information."  
 13 INTERPRETER ODANGA: Can you just  
 14 explain custodial?  
 15 MR. SMITH: I'm just reading from  
 16 the document. It says "custodial briefing  
 17 sessions." Custodial means you're in custody.  
 18 INTERPRETER ODANGA: Oh.  
 19 (Translating.)  
 20 BY MR. SMITH:  
 21 Q. Do you have any memory of the custodial  
 22 interrogations, the questions that you were  
 23 asked and the answers that you gave, sir?  
 24 A. I remember some, but not all.

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1 Q. Okay. Let me ask if he has a memory of  
 2 stating the following to US officials who  
 3 interrogated him.  
 4 A. Okay.  
 5 Q. Did you ever tell US officials, quote:  
 6 "Abdullah is a Tanzanian national born  
 7 September 24, 1971 in Unguja, Zanzibar"?  
 8 MR. HOFFMAN: Objection. You can  
 9 answer.  
 10 THE WITNESS: Yes.  
 11 BY MR. SMITH:  
 12 Q. Did you ever tell US officials when you were  
 13 in custody, quote: "He previously traveled on  
 14 Tanzanian Passport No. AI -- I'm sorry --  
 15 A0173854, issued 27 June 1997, which expired  
 16 26 June 2002." Let me stop right there.  
 17 (Translating.)  
 18 MR. SMITH: Oh, you can't see  
 19 without your glasses.  
 20 (Translating.)  
 21 THE WITNESS: I never told them.  
 22 BY MR. SMITH:  
 23 Q. Okay. Did you ever tell American officials  
 24 that you, quote: "First came to Kenya in 1993

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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?

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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

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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:

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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.

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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.

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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?

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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

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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?

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1 MR. HOFFMAN: Objection. You can  
 2 answer.  
 3 THE WITNESS: All I knew was that we  
 4 were going to fight Kashmir.  
 5 MR. HOFFMAN: There may be a  
 6 translation issue here.  
 7 INTERPRETER KENDAGOR: I think what  
 8 -- what...  
 9 (Translation discussion by  
 10 Interpreter Kendagor.)  
 11 INTERPRETER KENDAGOR: Yeah. What  
 12 he means is that that group was going to fight  
 13 in Kashmir, but he didn't know that the group  
 14 was going to fight in Kashmir.  
 15 COURT REPORTER: I'm having trouble  
 16 hearing you.  
 17 INTERPRETER ODANGA: I did not hear  
 18 where he said he didn't know, so I don't know  
 19 where you got he didn't know --  
 20 INTERPRETER KENDAGOR: Okay. Maybe  
 21 explain --  
 22 INTERPRETER ODANGA: -- but I heard  
 23 you asking if he knew.  
 24 MR. SMITH: Wait a minute. Wait a

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1 minute. Wait a minute.  
 2 Samuel, let me just say that I don't  
 3 know Swahili. Okay. So I have my interpreter  
 4 here and my interpreter is under, I think, a  
 5 legal obligation as an interpreter to  
 6 translate exactly what I say and exactly what  
 7 the witness says.  
 8 And she's just -- whatever comes out  
 9 of my mouth, she needs to translate into  
 10 Swahili, and whatever comes out of the  
 11 witness's mouth, she needs to translate it  
 12 into English. That's her job. She's not to  
 13 interpret it, try to figure out what it means,  
 14 et cetera.  
 15 As I appreciate your job is to make  
 16 sure that her interpretation, you agree with  
 17 or disagree with, but it can't be to add  
 18 things that -- anything other than exactly  
 19 what came out of my mouth and exactly what  
 20 came out of the witness's mouth.  
 21 So if you have a concern, it has to  
 22 be because you disagree with exactly my  
 23 interpretation as through the interpreter or  
 24 exactly what the witness said as through the

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1 interpretation of the interpreter.  
 2 Are you with me?  
 3 INTERPRETER KENDAGOR: Yes.  
 4 MR. SMITH: Okay.  
 5 INTERPRETER KENDAGOR: Yes, sir.  
 6 MR. SMITH: And so if my interpreter  
 7 says "the witness never said that," then you  
 8 can't -- I'm not saying that you are or you  
 9 aren't, it's just that it's not helpful to any  
 10 of us unless you say I disagree with the  
 11 interpretation because exactly what this  
 12 witness said in Swahili was not interpreted  
 13 into English.  
 14 Are you with me?  
 15 INTERPRETER KENDAGOR: The way I  
 16 understood is that what he was saying is not  
 17 exactly what she was --  
 18 MR. HOFFMAN: What she said.  
 19 MR. SMITH: Okay. And you're saying  
 20 that what -- madam interpreter, what you said,  
 21 your interpretation was exactly what the  
 22 witness said?  
 23 INTERPRETER ODANGA: I interp --  
 24 INTERPRETER KENDAGOR: Maybe --

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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

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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.



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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

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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.

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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?

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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.

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1 (Translating.)  
 2 MR. HOFFMAN: Objection. He can  
 3 answer.  
 4 THE WITNESS: I told them that I had  
 5 the identification card that was not mine and  
 6 I told them it was in the name "Issa." I  
 7 don't remember telling them the other names.  
 8 BY MR. SMITH:  
 9 Q. Did you tell them that it was a fake  
 10 identification card?  
 11 A. Yes.  
 12 Q. Okay. And is it your testimony that you don't  
 13 remember one way or the other if this fake  
 14 identification card bore the name "Issa  
 15 Abdikadir Mohamed"?  
 16 A. I remember Issa, but I'm not sure -- I can't  
 17 remember if I said the other names.  
 18 Q. Okay. And why did you have this fake  
 19 identification card?  
 20 MR. HOFFMAN: Objection. You can  
 21 answer, again, if you want.  
 22 THE WITNESS: I said before that  
 23 this identification card, I just picked it.  
 24 It was just something that I picked. And, in

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1 Kenya, people had trouble that they don't have  
 2 identification card.  
 3 BY MR. SMITH:  
 4 Q. So are you saying that you had a fake  
 5 identification card to stay out of trouble  
 6 with Kenyan officials?  
 7 MR. HOFFMAN: Objection. You can  
 8 answer.  
 9 THE WITNESS: It wasn't fake  
 10 identification, it was just -- it was a real  
 11 identification, it's just that it wasn't mine.  
 12 BY MR. SMITH:  
 13 Q. Well, did you hold yourself out through that  
 14 identification card as being a person named  
 15 "Issa"? I'll stop right there.  
 16 MR. HOFFMAN: Objection.  
 17 THE WITNESS: No.  
 18 BY MR. SMITH:  
 19 Q. Well, what was the purpose of having the card,  
 20 then?  
 21 MR. HOFFMAN: Objection.  
 22 THE WITNESS: Only when I -- if I'm  
 23 stopped by the police, then I can show the  
 24 identification card.

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1 BY MR. SMITH:  
 2 Q. So it was your intention if you were stopped  
 3 by the Kenyan police to show them this fake  
 4 identification, is that right?  
 5 A. Yes.  
 6 Q. And when you were taken into custody by the  
 7 Kenyan intelligence police officers, did you  
 8 show them the fake identification?  
 9 A. Ever since I left the boat, I never used -- I  
 10 never used that identification card. I did  
 11 have it.  
 12 Q. Why did you tell the American officials who  
 13 were interrogating you about this fake  
 14 identification?  
 15 A. They asked me why I was also called Issa.  
 16 Q. Okay. Now, turn, if you would, to paragraph  
 17 4D. I'm looking at the second sentence. And  
 18 my question is, did you ever tell American  
 19 officials during interrogation that you "and  
 20 other compatriots proceeded to Karachi,  
 21 Pakistan, and were received by Al-Qaeda leader  
 22 Mufti Iqbal"?  
 23 Let's stop right there. Did you  
 24 ever tell government officials that?

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1 A. I've never said that.  
 2 Q. Do you know who Mufti Iqbal is?  
 3 A. Yes.  
 4 Q. Who is he?  
 5 A. That is -- he was at the mosque where I  
 6 arrived to.  
 7 Q. In Pakistan?  
 8 A. Yes.  
 9 Q. Had you ever met him before you met him at the  
 10 mosque in Pakistan?  
 11 A. No.  
 12 Q. Okay. Did you ever tell American officials,  
 13 as it appears in Exhibit No. 1, that Iqbal  
 14 took you and the others to Harakati Ansar  
 15 terrorist training camp in Afghanistan?  
 16 MR. HOFFMAN: Objection. You can  
 17 answer.  
 18 THE WITNESS: No.  
 19 BY MR. SMITH:  
 20 Q. Did Iqbal take you to Harakati Ansar camp?  
 21 A. No.  
 22 Q. Who took you?  
 23 A. We went with other people.  
 24 Q. Yeah. Who -- who were the people?

1 A. I already told you that I only knew one.  
 2 Q. Okay. Well, sometimes when you look at a  
 3 document, it helps refresh your recollection.  
 4 MR. HOFFMAN: There's no question.  
 5 BY MR. SMITH:  
 6 Q. Do you know who Fazul Rahman is?  
 7 A. I remember him.  
 8 Q. Who is Fazul Rahman?  
 9 A. It was -- he was like the owner of Harakati  
 10 Ansar.  
 11 Q. And do you know a person named Abu Walid?  
 12 A. No.  
 13 Q. Did you ever tell American officials in  
 14 connection with an interrogation, or  
 15 questioning, rather, that the Harkati Ansar  
 16 camp was run by Pakistani national Fazul  
 17 Rahman?  
 18 A. Yes.  
 19 Q. Reading on in the document marked as  
 20 Exhibit 1, it states, quote: "In Afghanistan,  
 21 Abdullah received six months of training on  
 22 assault rifles, explosives and fighting  
 23 techniques."  
 24 Did you ever tell American officials

1 that?  
 2 A. No, I did not.  
 3 Q. Did you tell them that you -- or tell American  
 4 officials that you received six months of  
 5 training on assault rifles?  
 6 A. I told them it was six month training, but I  
 7 only use the -- there for one time.  
 8 Q. One time. Did you ever tell American  
 9 officials that while you were at this camp,  
 10 you were trained for using explosives?  
 11 A. No.  
 12 Q. Did you ever receive training to use  
 13 explosives?  
 14 A. No.  
 15 Q. Were you -- did you ever tell American  
 16 officials that you received training at this  
 17 camp for fighting techniques?  
 18 A. No.  
 19 Q. Did you ever tell American officials that  
 20 while you were at this camp, there were  
 21 approximately 600 other trainees at the camp?  
 22 A. I remember something like that.  
 23 Q. Tell me what you remember.  
 24 A. There were a lot of people at the camp.

1 Q. What did you tell the government officials  
 2 when you were interviewed about this?  
 3 MR. HOFFMAN: Objection. You can  
 4 answer.  
 5 THE WITNESS: They asked me "there  
 6 was many people there?" And I said "yes."  
 7 BY MR. SMITH:  
 8 Q. Did they ask how many people?  
 9 A. Yes.  
 10 Q. What was his answer?  
 11 A. I remember I said "a lot of people," but I've  
 12 forgotten what I told -- the number that I  
 13 told them.  
 14 Q. Turn, if you would, to paragraph H in  
 15 Exhibit 1. Were you shown a photograph during  
 16 this interview or interrogation of an Afghani  
 17 national who was taking photographs of the  
 18 Paradise Hotel three months prior to the 28  
 19 November 2002 bombing?  
 20 A. No.  
 21 MR. HOFFMAN: Whenever you reach a  
 22 stopping point soon, we could take a break.  
 23 BY MR. SMITH:  
 24 Q. Turn, if you would, to the next page, sir.

1 Paragraph No. 5 says, quote: "Outcome:  
 2 Bagram/Gitmo, detain as a low level enemy  
 3 combatant."  
 4 Were you ever told you were being  
 5 detained as a low level enemy combatant?  
 6 MR. HOFFMAN: Objection. Asked and  
 7 answered.  
 8 THE WITNESS: Never.  
 9 BY MR. SMITH:  
 10 Q. And you would remember that if you were told?  
 11 A. I would have remembered that.  
 12 Q. Your testimony is that while you were at this  
 13 camp, you were training with some 600 other  
 14 people, is that right?  
 15 MR. HOFFMAN: Objection. You can  
 16 answer.  
 17 THE WITNESS: I didn't go there to  
 18 train. I found those people there. It's not  
 19 that I came with them there.  
 20 BY MR. SMITH:  
 21 Q. Did you train with 600 other people while you  
 22 were at this camp?  
 23 A. No. They come and go. It's not that we are  
 24 there all the time, all of us.

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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:

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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?

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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?

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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?

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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

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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

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1 knew two Al-Qaeda operatives in Mogadishu?  
 2 MR. HOFFMAN: Objection. You can  
 3 answer.  
 4 THE WITNESS: No.  
 5 BY MR. SMITH:  
 6 Q. Mr. Salim, have you reviewed any of the  
 7 documents that have been turned over by the  
 8 United States government in connection with  
 9 this case?  
 10 A. I have not.  
 11 Q. Are you aware that there are documents that  
 12 have been produced in this case that indicate  
 13 that you had direct or indirect links to  
 14 members of Al-Qaeda?  
 15 MR. HOFFMAN: I'll object to that  
 16 question to the extent that it asks him to  
 17 respond based on attorney/client  
 18 communications. So you can only answer that  
 19 question if you have information other than  
 20 what you got from your lawyers.  
 21 THE WITNESS: I don't know.  
 22 MR. SMITH: Okay. So your lawyer  
 23 has requested that we take a break, so why  
 24 don't we take a break. It's about 11 minutes

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1 till three. What time would you like to  
 2 resume?  
 3 MR. HOFFMAN: Just 10 minutes or 15  
 4 minutes.  
 5 MR. SMITH: Okay.  
 6 VIDEOGRAPHER: The time is 2:49.  
 7 We're off record.  
 8 (Brief pause.)  
 9 VIDEOGRAPHER: Back on the record.  
 10 The time is 3:02.  
 11 BY MR. SMITH:  
 12 Q. Mr. Salim, are you ready to go forward?  
 13 A. Fine.  
 14 (The following portion has been deemed  
 15 confidential and bound under separate cover)  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24