

COMMITTEE ON FOREIGN AFFAIRS
Subcommittee on International Organizations, Human Rights, and Oversight
Testimony of Murat Kurnaz
Rayburn House Office Building, Room 2172
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My name is Murat Kurnaz. I am a twenty-six year old Turkish citizen, who was born and raised in Bremen, Germany. I currently live here in Bremen with my mother, father and two younger brothers. I would like to thank you for inviting me to address this Committee and the American people about the injustices of the prison camp in Guantanamo Bay, Cuba.

Although I have committed no crime and have never harmed anyone or associated with terrorists, I spent five years of my life in American detention in Kandahar, Afghanistan and then Guantanamo under terrible conditions that no one should suffer.

I have much to say to the Committee about my experiences, but I will try to keep my comments short because of limited time. I understand that my American lawyer, Baher Azmy, has submitted documents to you demonstrating my innocence and the unfair legal process in Guantanamo, which I hope you will also read.

1. My Personal Background

My parents are work-immigrants from Turkey. They came to Germany over 30 years ago. They are Muslims, but like many Turkish people in Germany, they are not very religious. In 2000, when I was about eighteen years old, I became more and more interested in Islam but not in any political sense. In the summer of 2001, I married a woman who lived in Turkey. My family made arrangements for her to come to live with us in Germany in starting in December 2001. In the meantime, I wanted to prepare myself to live a correct life with her under Islam. I wanted to learn to read the Koran in Arabic and to pray, which are very important to faithful Muslims. I decided this period of time would be the last chance to travel and study Islam before living with my wife together in Bremen, Germany.

I made contact in Bremen with a Muslim missionary group called Jama`at al Tablighi. My impression was that this was a peaceful, and not political, group which spreads the message of Islam in a peaceful way. They do charity work, teach people important values about family and prayer, and completely reject terrorism. (My American lawyer has submitted materials to the Committee about this group, which demonstrates that it has nothing to do with terrorism.) They suggested that I go to Pakistan: it is cheap and they have many of their schools and teachers there. I decided to go with a friend from Bremen who also wanted to learn to read the Koran. His name is Selcuk Bilgin.

When the terrorists attacked New York City on 9/11, I was horrified by their actions. I believe those who helped commit those acts should all be punished harshly. I condemn all forms of terrorism and the Koran instructs me that it is never permissible to kill yourself, or to kill women and children. I believe strongly that Osama bin Laden is perverting Islam by killing people in the name of Islam. I blame Osama bin Laden for having lost five years of my life. I already made similar statements to my Combatant Status Review Tribunal (CSRT) in 2004; this CSRT still falsely labeled me an enemy combatant.

Despite the terrorist attack of 9/11, I was not worried about traveling to Pakistan in October 2001. Pakistan is not Afghanistan, the war had not yet started and I had no idea a possible war could spread over the border to Pakistan.

2. My Time in Pakistan

In Pakistan I travelled with some of the Tablighis and visited several cities as a religious tourist. I never went to Afghanistan and I never met with anyone from Al Qaeda or the Taliban. I also never came in touch with any weapons and I never committed any crime.

I had a return ticket to Germany – to rejoin my family and life there. On my way back to Germany, I was arrested by Pakistani police. I was traveling on a bus with many other civilian passengers. The police stopped the bus and removed me. They had no suspicion other than the fact that I was a foreigner with a Turkish passport and German residency.

After a few days I was handed over the border to U.S. forces. I was soon transferred to a U.S. military base in Kandahar, Afghanistan, and then later to Guantánamo.

I was later told by a U.S. interrogator that the U.S. paid \$3000 bounty for me.

3. My Treatment in Afghanistan and Guantánamo

In the American prison camp in Kandahar I was shocked by the awful treatment prisoners received. I had a very high impression of Americans all my life, so I couldn't believe Americans would do these kinds of things.

It was wintertime and freezing cold and I had just shorts and no blankets. I was beaten repeatedly. During interrogations, my head was dunked under water to simulate drowning and electroshocks were sent through my feet. At one point, I was chained and hung by hands for a long time. During the time I hung in the air, a doctor sometimes checked if I was okay; then I would be hung up again.

The guards accused me of being affiliated with Mohammed Atta. They thought that because we are both from Germany and Muslims, I must have worked with him. This was ridiculous, and without any basis in reality. But the hanging was punishment for not admitting this, and coercion to try to force me to admit it. The pain from this treatment was beyond belief. I know that others died from this kind of treatment.

From Kandahar, I was transferred to Guantánamo. In Guantánamo, the conditions and the treatment were barely fit for animals, and certainly not for human beings. I was deprived of sleep and food for long intervals. I was forced to be in solitary confinement for long periods of time for no reason and subjected to extreme cold and heat. I was subjected to religious and sexual humiliation. I was beaten multiple times. The guards forced me to accept medication that I did not want.

I was interrogated over and over again, but always with the same questions. I told my story over and over, my name over and over, and details about my family over and over. I quickly got

the impression that the interrogations were useless and pointless and not interested in the truth. Twice I was visited by German interrogators.

4. The Legal Process

The first time I saw my American lawyer was in October 2004. At first, I did not believe he was a lawyer -- there was no law in Guantanamo and interrogators always lied to us. But, he brought a hand-written note from my mother, and so I came to trust him. He told me there was a legal case that my family brought to get me released. I had no idea about this. From 2002 until my lawyer visit in 2004, in Guantanamo, I had no idea anyone even knew Guantanamo existed or that I was alive.

In September 2004, I had a CSRT proceeding. I did not have a lawyer in this proceeding. At the CSRT, they said I was an enemy combatant because my friend Selcuk Bilgin had committed a suicide bombing. I couldn't believe this -- I did not think Selcuk was crazy. Though we all now know the charge was false, I couldn't prove this to the CSRT -- I was all alone in Guantanamo and without access to any information about the outside world.

There was no legal process at Guantanamo that would allow me really challenge my detention. Going through the CSRT, I know that they were just trying to say that it was okay to detain me; they were not looking for the truth.

5. My Prolonged Imprisonment

I also now know that both the U.S. government and the German government knew I was innocent as early as 2002. My American lawyer has submitted these documents proving this to the committee and I urge you to review them. Even though I was innocent, and even though both governments knew I was innocent, I spent almost five years in American prison camps.

As my story demonstrates, it is not the existence of a security threat that keeps someone in Guantanamo. Because there was no law in Guantanamo, in order to be released, I needed to have a country that would fight for my release. For too long, there was no country that would do that: the German government for years refused to claim me because they considered me a Turkish citizen. The German government even tried to revoke my German residency while I was in Guantanamo. Also, I did not have a strong connection to the Turkish government, since I lived my whole life in Germany. I was not a refugee and could have returned to either of these countries. Instead, I was left behind waiting for politicians to do the right thing for me.

I think that I was eventually released because of the work of my lawyers in the U.S. and in Germany, to prove to the German public that I was innocent and to pressure the new German government to negotiate for my release. If there had been any law in Guantanamo, I would obviously have been released much earlier.

I believe my story, with some variations, is true for many in Guantánamo today. Often, people were released because their countries demanded it. Others remain because their countries do not demand their return, or because they are afraid of being returned.

Conclusion

My imprisonment in Kandahar and Guantanamo was a nightmare. I did nothing wrong and was treated like a monster. There was no law in place or judge to consider my story. How could this happen in the 21st century?

I grew up in Germany learning about the crimes of European countries and how the Americans helped to teach the Germans about the rule of law after World War II. I might expect a something like Guantanamo to be developed by a poor, tyrannical or ignorant country. I never could have imagined this place would be created by the United States of America.

Since my release, I have spoken about my ordeal with many people in different countries – Germany, Belgium, France, UK, Ireland, Sweden. My impression is that they all were deeply disappointed that this is being done by Americans and angry at America for not living up to its own standards. They all supported the US after 9/11, but now they criticize the U.S. for its hypocrisy and for ignoring the law.

I worry about some of the other detainees who are in their seventh year at Guantanamo. No human being can endure this treatment and isolation. I know that what was done to me cannot be undone. But I also know that there are steps that the U.S. should take to and find a solution for those who are still in prison there.

Thank you very much.