

IN THE SUPREME COURT OF
THE BRITISH INDIAN OCEAN TERRITORY

Between:-

MOHAMMED SAAD IQBAL MADNI

Claimant

-and-

THE COMMISSIONER OF THE BRITISH INDIAN OCEAN TERRITORY

Defendant

WITNESS STATEMENT OF THE CLAIMANT

I, Mohammed Saad Iqbal Madni, of House E-526-14-F, Street 1 (Ali Street), Muhalla Akramabad, Academy Road, Wazirpur, Lahore, Cantt, Pakistan, declare as follows:

My Initial Detention and Rendition to Egypt

1. I am a Pakistani national. I was detained in Jakarta around 4.30am on 9 January 2002. Twenty Indonesian officers came to my house and took me away. The following day, 10 January, at around 8.00pm, I was taken to the airport at Jakarta. I was met by seven or eight people. I understood that some of them were Egyptian intelligence personnel as they spoke Arabic. This was later confirmed to me by one of the security guards in Cairo who told me that he came to Indonesia specially to pick me up. He was Egyptian and said that I had to wait in Jakarta for 2 days because he and others were on their way to pick me up. They took me to a room. A man picked me by the scruff of the neck and threw me against the wall. The left side of my face banged against the wall and my ear drum burst. It even started bleeding. Then they took me to a room and stripped me naked. They shackled me from my neck all the way down to my feet. They kicked me around and then asked if I speak Arabic. I told them I do and then I was asked why I know Arabic if I live in Pakistan. They then dressed me in other clothes, threw me in a car and drove me to a plane.
2. At some point my passport was stamped, indicating that I had left Indonesia through Jakarta Airport. I attach as Exhibit MSIM1 a true copy of my passport showing a Jakarta exit stamp dated 10 January 2002.

3. The intelligence personnel covered my eyes with a hood, and pushed me aboard a jet aircraft. Then I was put in a coffin-shaped wooden box lying horizontal on the floor. The box was open but I was bound with plastic, with shackles wound so tightly all around my body that I was unable to move. A plastic sheet was then placed over the box.. The plane took off around two hours later, I would estimate at around 10.00pm. As a result of the beating, I was bleeding from my nose, mouth and ears, and I later learned that there was blood in my urine.
4. After several hours, the plane stopped. I could hear the sound of the plastic being uncovered. They opened my shackles so I could urinate into a bottle. I think they did this because they realized that I was bleeding. One of the Egyptian officers told me that we had stopped for refuelling. Later on the stopover after I was re-hooded, I was aware that some other people came onto the plane and took photographs of me. I was aware of the camera-flashes through my hood. I don't know who they were and they didn't say anything which makes me think that they were Americans because during my kidnap and torture the Americans never said anything. I think those taking the photographs then left the plane.
5. After about 30 minutes the plane took off again, and flew for several more hours. The plane arrived on the morning of 11 January. When the plane landed again, I was told by the Egyptian personnel that I was in Cairo.

My Time in Egypt

6. In Cairo, I was taken off the plane, and the shackles on my legs were opened but I remained bound. I was taken to a nearby Mazda car, and driven for about thirty minutes to an Egyptian intelligence office. At that building, a doctor came and gave me a medical examination. I told the doctor that I was bleeding from my nose, ears and mouth, and that there was blood in my urine. Although examined I was not treated.
7. After the medical examination, I was taken to an interrogation room where I was met by the Egyptian intelligence chief Ala Mubarak, who is the son of the current Egyptian president Hosni Mubarak. He said something like "you are from an Islamic country. If you cooperate, we will cooperate with you. If you don't then we have ways of getting what we need". I was then taken to an underground cell that was smaller than a grave, and smaller than the cells at Guantanamo Bay. It was completely dark, and I could not lie down straight in the cell, I had to bend my knees.

8. On or around 11 and 12 January I was subjected to intense interrogation sessions involving torture. During these sessions I was given high voltage electric shocks to my head and my knees, denied food and medicine for my bleeding. My interrogators were Egyptian but there were four US personnel present in the room. They were clearly US personnel because they wore the US army's green uniform with gold ranking stars on them. I think they were high ranking soldiers. They did not speak but passed notes to the Egyptian interrogators, who would then read them out as questions for me. After that, whenever the US personnel came into the room during my interrogations, I was made to stand up.
9. On three occasions, around 11, 12 and 20 January 2002 I was subjected to a further interrogation sessions, where I was forced to drink a tea that I believe to have been laced with drugs, and left alone in a room. As a result of drinking this tea I became very confused. My interrogators were in an adjacent room observing me through a glass wall, and they asked me questions through a microphone. As best I can estimate it, this session lasted between seven and ten hours.
10. On many other occasions, too many to count, my Egyptian torturers hung me from metal hooks from the ceiling and beat me. During my time in Egypt I regularly bled from my mouth, nose and ears as a result of my torture. I was held in these conditions in Cairo for about 3 months.

My Transfer to Afghanistan

11. On or around 11 April 2002, I was taken to an office in the Egyptian intelligence building where I was being held, and forced to sign a piece of paper saying that I had been given excellent treatment and that no-one had tortured me. I was then taken out of the building to an airport in Cairo. I was handed over to some US personnel dressed in back uniforms with a US flag on one arm. They taped my mouth and put me on a plane. On the plane was another man I later learned was an Egyptian/Australian citizen called Mamdouh Habib. We were later placed in the same compound at Bagram and were able to communicate there. His ISN number was 181 and mine was 182.. I used to hear him crying. For the duration of the flight, Mamdouh and I were shackled in a foetal position and we were beaten and given electric shocks by the American guards if we tried to ask for anything.
12. After several hours our plane stopped and we were unshackled. We were brought off the plane and made to run by our US guards dragging us by our shackles, for ten minutes to another plane, which we were taken onto. This plane took off and flew us to our final destination, which I later learned was Bagram Airbase, near Kabul in Afghanistan.

13. I was held by the US in Bagram Airforce Base in Afghanistan until I went to Guantánamo Bay. For the first seven days I was kept in hand-cuffs and shackles with the general detainee population, and for seven months after that I was kept in isolation. I was held on the second floor where there were six rooms, each about six foot by four foot in dimension. I did not see the sun for the entire duration of my stay in solitary. In Bagram, I was hung from the ceiling with my feet just touching the ground in the position that I later learned was called by the Spanish inquisition "the strappado". I was regularly beaten, and my interrogators threw the Qu'ran down the toilet in front of me. Most of the time this treatment was meted out by an Egyptian-American interrogator who I knew as Mr Khalid -- though I do not know if this was his real name.

My Transfer to Guantánamo Bay

14. I was held in Bagram Airforce Base until 22 March 2003 when I was flown to Guantánamo Bay, arriving on 23 March 2003.

15. In Guantánamo Bay, I was subjected to a regime of sleep deprivation and frequent moving from cell to cell that has subsequently been admitted by the US military and described as "the frequent flyer programme". During this time I was interrogated by a range of personnel including one whom I believe to have been from the United Kingdom..., who visited me once in April 2003, during the course of my interrogations under this programme. I believed that he was British because he spoke English with a clear and strong English (rather than American) accent. He claimed that he worked for the US National Security Council. The individual whom I believe was British interrogated me on whether I knew Usama bin Laden or anyone else from Al-Qaeda and whether I knew about any future plans for terrorist activities. In particular I remember him questioning me about whether I knew Richard Reid. I could not help as I had not even heard of Richard Reid until I was at Bagram.

16. For my entire time at Guantanamo Bay, I complained of serious medical problems including problems with my bladder and my knees as a result of my torture, and regular bleeding from my mouth, ears, and nose as well as having blood in my urine. I was told by my interrogators at Guantanamo Bay that if I "co-operated" with them, I would be first in line for medical treatment.

My Release and Return to Pakistan

17. I was held at Guantanamo Bay until 31 August 2008. On my flight from Guantanamo to Pakistan, I was shackled and I was not allowed to go to the bathroom. The plane stopped

somewhere en route, which I believe may have been Bagram Airforce Base, and I was transferred onto another plane for the final leg of my journey. As soon as I arrived in Pakistan, I was admitted to a hospital for treatment, and then held for three weeks at a house in Islamabad for further questioning.

18. After three weeks, Pakistani security officers drove me back to Lahore to be reunited with my family. Words cannot describe how I felt. I felt born again, it was like the beginning of a new life. Despite this, my new life of freedom is not easy. The physical damage I have sustained as a result of my torture includes permanent damage to my right knee and leg, making it difficult for me to walk, and damage to one of my eardrums that I have been told requires surgery. I am also suffering from debilitating psychological scarring as a result of my experience, and I am dependent on a long list of prescription drugs.

Conclusion

19. I wish to make it clear that I do not seek revenge, I simply seek the truth, so that this does not happen to anyone else, and some modicum of justice so that I may start to rebuild my life.

STATEMENT OF TRUTH

I, Mohammed Saad Iqbal Madni, confirm that the facts stated in this witness statement are true to the best of my knowledge.

Signed: _____



Dated: _____

01-07-2009.