

**Deposition DVD – Transcription**  
**by Hisham Malek Completed Dec 2010 of:**

**Abid Al-Rahman Waleed Al-Hamid** [*Abdul Rahman*]

**(1 of 1)**

**DVD – TRANSCRIPTION**

**DVD – TRANSLATION**

**Abid Al-Rahman Waleed Al-Hamid** (*Abdul Rahman*) **DVD-3**

1  
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3  
4 FV WE ARE BACK ON THE RECORD. I  
5 WANT TO REMIND THE WITNESS  
6 THAT HE IS STILL UNDER OATH ...  
7 COUNSEL YOU MAY PROCEED.  
8 MV1 MAAM THE GOVERNMENT PASSES.  
9 FV COUNSEL DO YOU HAVE ANY  
10 QUESTION TO ASK THE WITNESS?  
11 MV2 ABDUL RAHMAN... MY NAME IS LT.  
12 COL VOLKEY. I AM GOING TO ASK  
13 YOU SOME QUESTIONS... O.K.? ... DO  
14 YOU SPEAK ENGLISH AT ALL?  
15 MV2 NOT AT ALL?  
16 MV2 DO YOU REMEMBER BEING ON T.V.?  
17 MV2 DO YOU WATCH T.V.?  
18 MV2 WHAT DO YOU LIKE TO WATCH?  
19 MV2 CARTOONS?  
20 MV2 DO YOU REMEMBER WHEN EMAN  
21 WAS ON T.V.?  
22 MV2 DO YOU REMEMBER PEOPLE  
23 COMING WITH CAMERAS AND  
24 ASKING YOU WHAT HAPPENED?  
25 MV2 WHO IS IN THE HOUSE NEXT DOOR  
26 TO YOU?  
27 MV2 AND DO YOU HAVE FAMILY OR  
28 FRIENDS IN THE NEIGHBORHOOD?

FV WE ARE BACK ON THE RECORD. I  
WANT TO REMIND THE WITNESS  
THAT HE IS STILL UNDER OATH ...  
COUNSEL YOU MAY PROCEED.  
MV1 MAAM THE GOVERNMENT PASSES.  
COUNSEL DO YOU HAVE ANY  
QUESTION TO ASK THE WITNESS?  
MW **No.**  
MW **No.**  
MW **No.**  
MW **Yes.**  
MW **Children.**  
MW **Yes.**  
MW **No.**  
MW **No.**  
MW **Yunis.**  
MW **No.**

1	MV2	NO? ..... UMM... TELL ME ABOUT THE	MW	<b>Who are they?</b>
2		BAD PEOPLE THAT WERE IN YOUR		
3		NEIGHBORHOOD?		
4	MV2	THE INSURGENTS ... THE	MV2	THE INSURGENTS ... THE
5		MUJAHIDEEN.		MUJAHIDEEN.
6	FV	COUNSEL I AM NOT SURE HE	FV	COUNSEL I AM NOT SURE HE
7		UNDERSTANDS THE QUESTION. DO		UNDERSTANDS THE QUESTION. DO
8		YOU WANT TO ....?		YOU WANT TO ....?
9	MV2	ABDUL RAHMAN... DO YOU KNOW	MW	<b>Yes.</b>
10		WHAT THE MUJAHIDEEN IS?		
11	MV2	AND TELL ME WHEN YOU SEEN	MW	<b>I did not see them, but I have heard of</b>
12		THEM IN BY ... IN YOUR		<b>them.</b>
13		NEIGHBORHOOD?		
14	MV2	WHAT DID YOU HEAR?	MW	<b>I only heard them saying there are</b>
15				<b>Mujahideen.</b>
16	MV2	AND WHO DID YOU HEAR IT FROM?	MW	<b>Half of them were saying this.</b>
17	FV	REPEAT THAT FOR THE COUNSEL,	FV	REPEAT THAT FOR THE COUNSEL,
18		HE DID NOT HEAR THAT.		HE DID NOT HEAR THAT.
19	MV2	HALF OF WHOM?	MV2	HALF OF WHOM?
20	FV	HALF OF THE ...	FW	HALF OF THE ...
21	MV2	HALF OF WHOM?	MV2	<b>Half of Haditha.</b>
22	MV2	SO A LOT OF PEOPLE IN HADITHA	MW	<b>Yes.</b>
23		TALKED ABOUT THE MUJAHIDEEN?		
24	MV2	AND THEY WERE ALL OVER	MW	<b>Who? The Mujahideen? I told you.</b>
25		HADITHA?		
26	FV	WHAT DID HE JUST SAID? ... O.K.	FV	WHAT DID HE JUST SAID? ... O.K.
27		...CAN YOU ASK HIM TO REPEAT HIS		...CAN YOU ASK HIM TO REPEAT HIS
28		ANSWER LOUD.		ANSWER LOUD.

1	MV2	WHAT IS THE MUJAHIDEEN?	MW	<b>I do not know [UN]</b>
2	MV2	BUT A LOT OF PEOPLE IN HADITHA	MV2	BUT A LOT OF PEOPLE IN HADITHA
3		TALKED ABOUT THE MUJAHIDEEN?		TALKED ABOUT THE MUJAHIDEEN?
4	FV	HE STARTED TO SAY SOMETHING...	MW	<b>I did not say anything.</b>
5		CONTINUE.		
6	FV	O.K.... I AM SORRY.	FV	O.K.... I AM SORRY
7	MV2	BUT A LOT OF PEOPLE IN HADITHA	MV2	<b>Yes.</b>
8		TALKED ABOUT THE MUJAHIDEEN?		
9	MV2	AND MUJAHIDEEN WERE AROUND	MV2	AND MUJAHIDEEN WERE AROUND
10		YOUR NEIGHBORHOOD IN THE		YOUR NEIGHBORHOOD IN THE
11		HOUSE YOU USED TO LIVE IN?		HOUSE YOU USED TO LIVE IN?
12	MV1	IT IS COMPOUND ... MAN.	MV1	IT IS COMPOUND ... MAN.
13	FV	DO YOU WANT TO REPHRASE	FV	DO YOU WANT TO REPHRASE
14		COUNSEL?		COUNSEL?
15	M2	NO.	,V2	NO.
16	FV	COULD YOU REPEAT THEN WHAT...	FV	COULD YOU REPEAT THEN WHAT...
17		REPEAT WHAT HE JUST SAID?		REPEAT WHAT HE JUST SAID?
18	MV2	LOT OF MUJAHIDEEN IN THE	MW	<b>Not a lot.</b>
19		NEIGHBORHOOD WHERE YOU LIVE?		
20	MV2	BUT SOME?	MW	<b>Yes.</b>
21	MV2	AND WHERE... WHERE IN YOUR	MW	<b>You mean in our neighborhood?</b>
22		NEIGHBORHOOD?		
23	MV2	IN THE AREA WHERE YOU USED TO	MW	<b>Repeat it.</b>
24		LIVE.		
25	FV	WHAT WAS THE QUESTION?	FV	WHAT WAS THE QUESTION
26	MV?	<i>[Court Reporter]</i> "WHERE IN YOUR	MV?	<i>[Court Reporter]</i> "WHERE IN YOUR
27		NEIGHBORHOOD AND IN OUR		NEIGHBORHOOD AND IN OUR
28				

1 NEIGHBORHOOD” WAS HIS  
2 QUESTION. “IN THE AREA WHERE  
3 WE USED TO LIVE AND YOU SAID IF  
4 YOU WANT TO ASK HIM ...WOULD  
5 HE LIKE FOR YOU TO REPEAT THE  
6 QUESTION”

7 MV2 SO... I AM ASKING YOU ... I WANT TO  
8 ASK YOU ABOUT THE  
9 NEIGHBORHOOD WHERE YOU USED  
10 TO LIVE ... WERE THERE  
11 MUJAHIDEEN IN THE  
12 NEIGHBORHOOD?

13 MV2 DID YOU SEE MANY OF THEM?

14 MV2 JUST SOME?

15 MV2 DID YOUR FAMILY TALK ABOUT  
16 THE MUJAHIDEEN A LOT?

17 MV2 WERE YOUR FAMILY SCARED OF  
18 THE MUJAHIDEEN?

19 MV2 ON THE DAY THE MARINES CAME  
20 TO YOUR HOUSE, DID YOU SEE ANY  
21 OF THE “ISF” THERE?

22 FV COUNSEL EXCUSE ME ...

23 MV2 IRAQI ARMY

24 FV O.K...GO AHEAD ASK THE  
25 QUESTION. COULD YOU REPEAT  
26 THE QUESTION FOR THE  
27 INTERPRETER PLEASE?

28 MV2 ON THE DAY THE MARINES CAME

NEIGHBORHOOD” WAS HIS  
QUESTION. “IN THE AREA WHERE  
WE USED TO LIVE AND YOU SAID IF  
YOU WANT TO ASK HIM ...WOULD  
HE LIKE FOR YOU TO REPEAT THE  
QUESTION”

MW **Sabhani area?**

MW **No. Not a lot.**

MW **Yes.**

MW **Not a lot ... not a lot.**

MW **No.**

MV2 ON THE DAY THE MARINES CAME  
TO YOUR HOUSE, DID YOU SEE ANY  
OF THE “ISF” THERE?

FV COUNSEL EXCUSE ME ...

MV2 IRAQI ARMY

FV O.K...GO AHEAD ASK THE  
QUESTION. COULD YOU REPEAT  
THE QUESTION FOR THE  
INTERPRETER PLEASE?

MW **No I did not see them.**

1	TO YOUR HOUSE DID YOU SEE ANY		
2	OF THE IRAQI ARMY?		
3	MV2 DID YOU SEE ANY IRAQI ARMY	MW	No.
4	PEOPLE SHOOTING?		
5	MV2 DID YOU SEE THE MARINES	MW	No.
6	SHOOTING AT IRAQI ARMY?		
7	FV PLEASE ASK THE WITNESS TO	FV	PLEASE ASK THE WITNESS TO
8	SPEAK UP LOUDER BECAUSE WE		SPEAK UP LOUDER BECAUSE WE
9	ARE HAVING PROBLEM GETTING		ARE HAVING PROBLEM GETTING
10	HIS VOICE ON... ON THE CAMERA.		HIS VOICE ON... ON THE CAMERA.
11	THANK YOU.		THANK YOU.
12	MV2 DID ANY STANGERS EVER COME TO	MW	No.
13	YOUR HOUSE THAT MAY HAVE		
14	BEEN MUJAHIDEEN?		
15	MV2 HAVE YOU HEARD WHO WAS	MW	No.
16	FIRING ON THE MARINES?		
17	MV2 HAVE YOU WHO HEARD WHO SET	MW	No.
18	UP THE BOMB THAT BLEW UP THE		
19	MARINES'S VEHICLE ON THE ROAD?		
20	MV2 DID YOU KNOW ABOUT OTHER	MW	No.
21	BOMBS IN THE ROAD?		
22	MV2 JUST HOLD ON ONE MOMENT.	MV2	JUST HOLD ON ONE MOMENT.
23	FV NO PROBLEM.	FV	NO PROBLEM.
24	MV2 WHEN THE MARINES CAME TO	MW	Yes.
25	YOUR HOUSE WERE YOU SCARED?		
26	MV2 DID YOU COVER YOUR FACE? YOUR	MW	No.
27	EYES?		
28	MV2 DID YOU HIDE?	FW	Yes

1	MV2	ABDUL RAHMAN... HAVE YOU	MW	<b>No.</b>
2		TALKED TO A LOT OF PEOPLE		
3		ABOUT THIS?		
4	MV2	NO? YOU TALKED TO OTHER	MW	<b>No.</b>
5		MARINES?		
6	MV2	DO YOU REMEMBER TALKING TO	MV2	DO YOU REMEMBER TALKING TO
7		THIS MAJOR BEFORE?		THIS MAJOR BEFORE?
8	FV	[UN] COUNSEL ...	FV	[UN] COUNSEL ...
9	MV2	DO YOU REMEMBER TALKING TO	MW	<b>No.</b>
10		THIS MAN? MAJOR ERICKSON?		
11	MV2	HOW ABOUT YOUR FAMILY? DID	MW	<b>No.</b>
12		YOU TALK TO ANY ONE IN YOUR		
13		FAMILY ABOUT THIS?		
14	MV2	DID ... HOW ABOUT HIBA? HAVE	MW	<b>No.</b>
15		YOU TALKED WITH HIBA ABOUT		
16		WHAT HAPPENED THAT DAY?		
17	MV2	UMM ... DO YOU KNOW KHALID?	MW	<b>No.</b>
18	MV2	DO YOU HAVE AN UNCLE NAMED	MW	<b>Yes.</b>
19		KHALID?		
20	MV2	AND HAVE YOU TALKED WITH HIM	MW	<b>Yes.</b>
21		ABOUT WHAT HAPPENED THAT		
22		DAY?		
23	MV2	AND WHAT DOES KHALID DO?	MW	<b>He does not do anything.</b>
24	MV2	DOES HE HAVE A JOB?	MW	<b>Yes.</b>
25	MV2	AND WHAT IS HIS JOB? ... I WILL ASK	MW	<b>Yes.</b>
26		ANOTHER QUESTION... IS HE A		
27		LAWYER?		
28	MV2	IS HE AN IMPORTANT MAN?	MW	<b>No.</b>

1 MV2 DO YOU REMEMBER SPEAKING TO  
2 THE T.V. WITH EMAN AND KHALID?  
3 FV DID YOU HEAR THE QUESTION  
4 COUNSEL? THE INTERPRETER  
5 ASKED YOU TO REPHRASE THE T.V.;  
6 BECAUSE IT WOULD NOT COME OUT  
7 IN THE TRANSLATION.

8 MV2 O.K.  
9 FV I PRESUME YOU MEAN TELEVISION?

10 MV2 YES ... AAH ... DO YOU REMEMBER  
11 TALKING WITH EMAN AND KHALID  
12 WHEN THEY WERE FILMING YOU  
13 WITH CAMERAS LIKE THESE?

14 MV2 ALL RIGHT... ONE MINUTE ...  
15 ABDUL RAHMAN DO YOU KNOW  
16 HOW TO USE A COMPUTER?

17 MV2 NO! ... I WILL SHOW YOU  
18 SOMETHING ON THE COMPUTER.  
19 OK. ...

20 FV WOULD YOU IDENTIFY THIS FOR  
21 THE RECORD?

22 MV2 YES MAAM. FOR THE RECORD IT IS  
23 THE SAME SCENE IN THE VIDEO  
24 THAT WE SHOWED EMAN.DURING  
25 THE LAST DEPOSITION. IT IS FROM  
26 THE SAME DISCOVERY PROVIDED  
27 BY THE GOVERNMENT AND I WILL  
28 PROVIDE A WRITTEN TRANSCRIPT

MV2 DO YOU REMEMBER SPEAKING TO  
THE T.V. WITH EMAN AND KHALID?  
FV DID YOU HEAR THE QUESTION  
COUNSEL? THE INTERPRETER  
ASKED YOU TO REPHRASE THE T.V.;  
BECAUSE IT WOULD NOT COME OUT  
IN THE TRANSLATION.

MV2 O.K.  
FV I PRESUME YOU MEAN TELEVISION?

MW No.

MW No.

MV2 NO! ... I WILL SHOW YOU  
SOMETHING ON THE COMPUTER.  
OK. ...

FV WOULD YOU IDENTIFY THIS FOR  
THE RECORD?

MV2 YES MAAM. FOR THE RECORD IT IS  
THE SAME SCENE IN THE VIDEO  
THAT WE SHOWED EMAN.DURING  
THE LAST DEPOSITION IT IS FROM  
THE SAME DISCOVERY PROVIDED  
BY THE GOVERNMENT AND I WILL  
PROVIDE A WRITTEN TRANSCRIPT

1 OF THIS FOR THE RECORD.  
2 FV EXHIBIT 1  
3 MV2 YES EXHIBIT 1  
4 [Voices from tape, not very clear, could  
5 make out the following: "ME AND MY  
6 BROTHER EMAN WERE INJURED ...  
7 MY GRANDFATHER WERE...[UN]"  
8 MV2 IS THAT YOUR SISTER?  
9 [Voice on Tapes: "GRANDFATHER  
10 AND ME [UN] HER BROTHER ABDUL  
11 RAHMAN ...]  
12 MV2 IS THAT YOU?  
13 MV2 AND WHO IS THIS OTHER PERSON IN  
14 THE PICTURE?  
15 MV2 THIS MAN HOLDING YOUR SHIRT  
16 UP?  
17 MV2 O.K.... WHERE WERE YOU WHEN  
18 THIS HAPPENED?  
19 MV2 AND WHICH UNCLE?  
20  
21 MV2 AND WHO ELSE WAS THERE?  
22  
23 MV2 YES.  
24 MV2 AND EMAN WAS THERE?  
25 MV2 AND KHALID WAS THERE?  
26 MV2 ARE YOU SURE?  
27 MV2 AND WHO HAD THE CAMERA?  
28 MV2 YOU DO NOT REMEMBER OR YOU

OF THIS FOR THE RECORD.  
EV EXHIBIT 1  
MV2 YES EXHIBIT 1  
[Voices from tape, not very clear, could  
make out the following: "ME AND MY  
BROTHER EMAN WERE INJURED ...  
MY GRANDFATHER WERE...[UN]"  
FW Yes.  
[Voice on Tapes: "GRANDFATHER  
AND ME [UN] HER BROTHER ABDUL  
RAHMAN ...]  
MV2 Yes.  
MW Which one?  
MW I truly do not know..  
MW We were at my paternal uncle's house.  
MW You mean who was at my paternal  
uncle's house?  
MW My paternal uncle Majeed and his  
family.  
MV2 YES.  
MW Yes.  
MW No.  
MW Yes.  
MW Truly I do not know.  
MW I do not remember.

1	DO NOT KNOW WHO IT WAS?		
2	MV2 AFTER THE VIDEO TAPING DID YOU	MW	<b>Yes.</b>
3	TALK ABOUT IT?		
4	MV2 AND WHAT DID YOU TALK ABOUT?	MW	<b>About what I have been saying now.</b>
5	MV2 AND WHO WERE YOU TALKING TO?	MW	<b>A reporter.</b>
6	MV2 AND DID YOU SEE YOURSELF ON	MW	<b>No.</b>
7	T.V.		
8	MV2 BUT YOU KNOW YOU WERE GOING	MW	<b>No.</b>
9	TO BE ON T.V.?		
10	MV2 NO! ... DID THEY ASK THE	MW	<b>They saw my back and then they asked</b>
11	QUESTIONS BEFORE OR AFTER		<b>me</b>
12	THEY VIDEO TAPED?		
13	MV2 AND WHOSE IDEA WAS IT TO BE	MW	<i>[Long pause with no answer]</i>
14	VIDEO TAPED BY A REPORTER?		
15	FV COUNSEL WOULD YOU CONFIRM IF	FV	COUNSEL WOULD YOU CONFIRM IF
16	HE KNOWS... IF HE UNDERSTANDS		HE KNOWS... IF HE UNDERSTANDS
17	THE QUESTION?		THE QUESTION?
18	MV2 I WILL ASK AGAIN. WHOSE IDEA	MW	<b>Truly I do not know.</b>
19	WAS IT TO DO THE VIDEO TAPE		
20	WITH THE REPORTER?		
21	MV2 ARE ... ARE YOU WORRIED YOU	Mw	<b>No.</b>
22	MIGHT SAY SOMETHING WRONG		
23	HERE TO-DAY?		
24	MV2 ARE YOU AFRAID BEING HERE?	Mw	<b>No.</b>
25	MV2 DID ANYONE ASK YOU IF YOU	Mw	<b>No.</b>
26	WANT TO COME TO THE UNITED		
27	STATES?		
28	MV2 UMM... DO YOU FEEL SAFE RIGHT	Mw	<b>Yes.</b>

1		NOW?		
2	MV2	UMM... YOU DO NOT THINK ANYONE	MW	<b>No.</b>
3		IN THIS ROOM WOULD HURT YOU?		
4	MV2	AND WE ARE HERE TO PROTECT	MW	<b>Yes.</b>
5		YOU. DO YOU KNOW THAT?		
6	MV2	HAVE YOU EVER BEEN TO THE	MW	<b>No.</b>
7		UNITED STATES?		
8	MV2	WOULD YOU LIKE TO GO SOME DAY	MW	<b>No.</b>
9		?... MAY BE TRAVEL WITH YOUR		
10		FAMILY?		
11	MV2	AND WHY NOT?	MW	<b>Why should I come?</b>
12	MV2	JUST TO VISIT... MAYBE TO SEE	MW	<b>I do not know?</b>
13		SOME FUN THINGS? ... ABDUL		
14		RAHMAN ARE YOU CURIOUS AS		
15		WHAT THE UNITED STATES IS LIKE?		
16	FV	HE DOES NOT UNDERSTAND THE	Fv	HE DOES NOT UNDERSTAND THE
17		QUESTION.		QUESTION.
18	MV2	O.K.... HAS ANY ONE THREATENED	MW	<b>No.</b>
19		YOU AT ALL TO COME TO TALK TO		
20		US?		
21	MV2	NOT ANY MUJAHIDEEN OR	MW	<b>No.</b>
22		ANYTHING LIKE THAT?		
23	MV2	DID ... DID KHALID EVER TALK TO	MW	<b>Yes.</b>
24		YOU ABOUT WHAT HAPPENED?		
25	MV2	AND WHAT DID HE TALK TO YOU	MW	<b>About that.</b>
26		ABOUT?		
27	FV	CAN YOU TRANSLATE WHAT HE	FV	CAN YOU TRANSLATE WHAT HE
28		SAID SO FAR?		SAID SO FAR?

1 MV2 NOW ABDUL RAHMAN... YOU MW Yes.  
2 PROMISED AND YOU PLACED YOUR  
3 HAND ON THE QURAN THAT YOU  
4 PROMISED TO TELL THE TRUTH.  
5 MV2 SO... WHAT DID KHALID TALK TO MV2 SO... WHAT DID KHALID TALK TO  
6 YOU ABOUT WHAT HAPPENED? YOU ABOUT WHAT HAPPENED?  
7 FV UMM... GIVE HIM SOME WATER ... HE FV UMM... GIVE HIM SOME WATER ... HE  
8 IS COUGHING. IS COUGHING.  
9 MV2 I WILL GET IT... DO YOU REMEMBER MW No.  
10 THE QUESTION?  
11 MV2 O.K. ... WHAT DID KHALID TALK TO MW Truly I do not know.  
12 YOU ABOUT WHAT HAPPENED?  
13 MV2 NOW ABDUL RAHMAN, YOU SAID MW Truly I do not know.  
14 KHALID HAD TALKED TO YOU  
15 ABOUT THIS AND IT IS PRETTY  
16 IMPORTANT FOR US TO KNOW  
17 WHAT YOU TALKED ABOUT THIS  
18 WITH KHALID.  
19 MV2 BUT YOU DID TALK WITH HIM MW Correct.  
20 ABOUT THIS?  
21 MV2 AND JUST TELL ME ONE LITTLE MW I do not know.  
22 THING YOU TALKED TO KHALID  
23 ABOUT THIS.  
24 MV2 WHAT DID YOU TALK WITH KHALID MW I do not recall.  
25 ABOUT THE VIDEO TAPE AND THE  
26 REPORTER?  
27 MV2 NOW ABDUL RAHMAN... DID MW No.  
28 KHALID TELL YOU NOT TO SAY

1		ANYTHING?		
2	MV2	ARE YOU SURE?	MW	<b>Yes.</b>
3	MV2	DID ANYONE ELSE TELL YOU NOT	MW	<b>No.</b>
4		TO TALK ABOUT CERTAIN THINGS?		
5	MV2	THAT IS ALL THE QUESTIONS I	MV2	THAT IS ALL THE QUESTIONS I
6		HAVE.		HAVE.
7	FV	COUNSEL ARE THERE ANY	FV	COUNSEL ARE THERE ANY
8		QUESTIONS FOR YOU?		QUESTIONS FOR YOU?
9	MV1	NO QUESTION MAAM.	MV1	NO QUESTION MAAM.
10	FV	IS THE WITNESS SUBJECT TO	FV	IS THE WITNESS SUBJECT TO
11		RECALL COUNSEL?		RECALL COUNSEL?
12	MV1	YES MAAM.	MV1	YES MAAM.
13	FV	THANK YOU VERY MUCH FOR YOUR	FV	THANK YOU VERY MUCH FOR YOUR
14		TESTIMONY. TELL HIM HE IS		TESTIMONY. TELL HIM HE IS
15		SUBJECT TO BE RECALLED. THANK		SUBJECT TO BE RECALLED. THANK
16		YOU DEAR. UMM... COUNSEL IS IT		YOU DEAR. UMM... COUNSEL IS IT
17		O.K. IF WE STILL STAY ON THE		O.K. IF WE STILL STAY ON THE
18		RECORD SO AS TO SAVE TIME ... SO		RECORD SO AS TO SAVE TIME ... SO
19		AS NOT TO HAVE TO GO THROUGH		AS NOT TO HAVE TO GO THROUGH
20		THE INTRODUCTORY STUFF?		THE INTRODUCTORY STUFF?
21	MV1	I ABSOULTLY AGREE.	MV1	I ABSOULTLY AGREE.
22	MV2	THAT IS FINE MAAM.	MV2	THAT IS FINE MAAM.
23	FV	THAT IS FINE NO PROBLEM JUST	FV	THAT IS FINE NO PROBLEM JUST
24		WANTED TO KNOW IF IT IS FINE		WANTED TO KNOW IF IT IS FINE
25		WITH EVERYONE? IS COUNSEL		WITH EVERYONE? IS COUNSEL
26		READY TO CALL THE NEXT		READY TO CALL THE NEXT
27		WITNESS SAFAA YUNIS SALIM		WITNESS SAFAA YUNIS SALIM
28		RASIF.		RASIF.

1 MV2 YES MAAM.  
2 MV1 CAN WE HAVE FIVE MINUTES  
3 BREAK?  
4 FV O.K.... THAT IS FINE. WE WILL TAKE  
5 A FIVE MINUTES BREAK.

7 [END OF QUESTIONING OF ABDUL  
8 RAHMAN]

9 FV COUNSEL HOW DO WANT TO DO  
10 THIS?

11 MV1 WE GAVE IT TO SSGT JORDAN

12 MV2 WE ARE READY

13 MV1 WE ARE ON

14 FV COUNSEL WOULD YOU STATE FOR  
15 THE RECORD WHAT YOU JUST SAID  
16 TO THE INTERPRETER TO  
17 TRANSLATE?

18 MV1 YES MAAM. 0900 HOURS ON  
19 SATURDAY WE NEED SAFAA TO  
20 RETURN.

21 FV THANK YOU VERY MUCH. WE ARE  
22 OFF THE RECORD.

24 [END OF VIDEO RECORDING]

MV2 YES MAAM.  
MV1 CAN WE HAVE FIVE MINUTES  
BREAK?  
FV O.K.... THAT IS FINE. WE WILL TAKE  
A FIVE MINUTES BREAK.

[END OF QUESTIONING OF ABDUL  
RAHMAN]

FV COUNSEL HOW DO WANT TO DO  
THIS?

MV1 WE GAVE IT TO SSGT JORDAN

MV2 WE ARE READY

MV1 WE ARE ON

FV COUNSEL WOULD YOU STATE FOR  
THE RECORD WHAT YOU JUST SAID  
TO THE INTERPRETER TO  
TRANSLATE?

MV1 YES MAAM. 0900 HOURS ON  
SATURDAY WE NEED SAFAA TO  
RETURN.

FV THANK YOU VERY MUCH. WE ARE  
OFF THE RECORD.

[END OF VIDEO RECORDING]

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**Deposition DVD – Transcription**  
**by Hisham Malek, completed Dec 2010 of:**

**Safaa Yunis Salim Rasif *[Nasif]***

**(1 of 3)**

**DVD – TRANSCRIPTION**

**DVD – TRANSLATION**

**Safaa Yunis Salim Rasif [Nasif] (Title 1, Chapter 1) ... (Beginning questioning)**

MV/ IT IS RECORDING MAAM  
FV WE ARE BACK ON RECORD IN THE  
DEPOSITION INVOLVING EMAN  
WALEED ABUL HAMID AND FOR  
YOUR RECORD YOUR COURT  
INTERPRETER SAJEED HAS  
CORRECTLY MARKED THE  
NUMBERS 1, 4 ...EXCUSE ME 1, 2, 4,  
5, 8 AND 9 THAT WERE MARKED  
ORIGINALLY BY THE WITNESS IN  
ARABIC, THE INTERPRETER HAS  
MARKED THEM IN RED  
CORRESPONDING NUMBERS IN  
ENGLISH ON DEPOSITION EXHIBIT  
NO. 1 ...CAN WE SO STIPULATE  
COUNSEL FOR THE PROSECUTION?

MV1 YES MAAM.

FV AND COUNSEL FOR DEFENSE?

MV2 YES MAAM.

FV WE ARE OFF THE RECORD AND I  
WOULD REMIND THE COURT  
INTERPRETER AS WELL AS  
EVERYONE THAT WE ARE STLL IN A  
CONTINUATION OF DEPOSITIONS OF  
US VS SSGT FRANK WUTERICH AND  
I AM CALLING THE NEXT WITNESS

MV? IT IS RECORDING MAAM.

FV WE ARE BACK ON RECORD IN THE  
DEPOSITION INVOLVING EMAN  
WALEED ABUL HAMID AND FOR  
YOUR RECORD YOUR COURT  
INTERPRETER SAJID HAS  
CORRECTLY MARKED THE  
NUMBERS 1, 4 ...EXCUSE ME 1, 2, 4,  
5, 8 AND 9 THAT WERE MARKED  
ORIGINALLY BY THE WITNESS IN  
ARABIC, THE INTERPRETER HAS  
MARKED THEM IN RED  
CORRESPONDING NUMBERS IN  
ENGLISH ON DEPOSITION EXHIBIT  
NO. 1 ... CAN WE SO STIPULATE  
COUNSEL FOR THE PROSECUTION?

MV1 YES MAAM.

FV AND COUNSEL FOR DEFENSE?

MV2 YES MAAM.

FV WE ARE OFF THE RECORD AND I  
WOULD REMIND THE COURT  
INTERPRETER AS WELL AS  
EVERYONE THAT WE ARE STLL IN A  
CONTINUATION OF DEPOSITIONS OF  
US VS SSGT FRANK WUTERICH AND  
I AM CALLING THE NEXT WITNESS

1 AND I WOULD REMIND THE COURT  
2 INTERPRETER THAT HE IS STILL  
3 UNDER OATH AND THE COURT  
4 REPORTER HAS ALSO BEEN SWORN  
5 IN PREVIOUSLY ... THE NEXT  
6 WITNESS IS SAFAA YUNIS SALIM  
7 RASIF. WOULD YOU PLEASE GET  
8 THE WITNESS.... SAFAA YUNIS  
9 SALIM RASIF WOULD YOU PLEASE  
10 STAND WITH YOUR RIGHT HAND ON  
11 THE HOLY QURAN AS YOU REPEAT  
12 THIS OATH: " I, SAFAA YUNIS SALIM  
13 RASIF, SWEAR BY ALLMIGHTY  
14 ALLAH TO TELL THE TRUTH AND  
15 NOTHING BUT THE TRUTH AND  
16 ALLAH IS WITNESS ON WHAT I SAY"  
17 .... UMM. PLEASE UNDERSTAND  
18 THAT EVERYTHING THAT YOU SAY  
19 WILL BE INTERPRETED BY  
20 INTERPRETER SAJEED. IT IS  
21 IMPORTANT THAT YOU DO NOT  
22 TALK WHEN SOMEONE ELSE IS  
23 TALKING BECAUSE THE COURT  
24 REPORTER, SSGT JORDAN IS TRYING  
25 TO TAKE DOWN WHAT EVERY ONE  
26 IS SAYING. IN THE BACK OF THE  
27 ROOM WE HAVE THE ATTORNEYS  
28 WHO WILL ASK YOU QUESTIONS.

AND I WOULD REMIND THE COURT  
INTERPRETER THAT HE IS STILL  
UNDER OATH AND THE COURT  
REPORTER HAS ALSO BEEN SWORN  
IN PREVIOUSLY ... THE NEXT  
WITNESS IS SAFAA YUNIS SALIM  
RASIF. WOULD YOU PLEASE GET  
THE WITNESS.... SAFAA YUNIS  
SALIM RASIF WOULD YOU PLEASE  
STAND WITH YOUR RIGHT HAND ON  
THE HOLY QURAN AS YOU REPEAT  
THIS OATH: " I, SAFAA YUNIS SALIM  
RASIF, SWEAR BY ALLMIGHTY  
ALLAH TO TELL THE TRUTH AND  
NOTHING BUT THE TRUTH AND  
ALLAH IS WITNESS ON WHAT I SAY"  
.... UMM. PLEASE UNDERSTAND  
THAT EVERYTHING THAT YOU SAY  
WILL BE INTERPRETED BY  
INTERPRETER SAJEED. IT IS  
IMPORTANT THAT YOU DO NOT  
TALK WHEN SOMEONE ELSE IS  
TALKING BECAUSE THE COURT  
REPORTER, SSGT JORDAN IS  
TRYING TO TAKE DOWN WHAT  
EVERY ONE IS SAYING. IN THE  
BACK OF THE ROOM WE HAVE THE  
ATTORNEYS WHO WILL ASK YOU

1 FROM TIME TO TIME THEY MAY  
2 HAVE A STATEMENT THAT THEY  
3 WANT TO MAKE FOR THE RECORD.  
4 IF THEY STOP YOU WHILE  
5 SPEAKING PLEASE STOP SPEAKING,  
6 SO THEY WOULD BE ABLE TO MAKE  
7 THEIR COMMENTS FOR THE  
8 RECORD.

9 *[Witness nods her head in positive*  
10 *confirmation]*

11 FV O.K.... AND IF YOU ARE NOT  
12 FINISHED WITH YOUR STATEMENT,  
13 PLEASE MAKE SURE THAT YOU  
14 TELL THE INTERPRETER THAT YOU  
15 ARE NOT FINISHED SO HE WILL LET  
16 YOU FINISH YOUR STATEMENT. IF  
17 YOU DO NOT UNDERSTAND WHAT  
18 THE INTERPRETER SAID PLEASE  
19 MAKE SURE YOU LET HIM KNOW  
20 YOU DO NOT UNDERSTAND WHAT  
21 HE SAID SO HE COULD REPEAT THE  
22 QUESTION. DO YOU HAVE ANY  
23 QUESTIONS?

24 FW

25 FV I BELIEVE YOU HAVE A BOTTLE OF  
26 WATER NEXT TO YOU. SO IF YOU  
27 NEED SOME WATER FEEL FREE TO  
28 TAKE IT... COUNSEL ARE YOU

QUESTIONS. FROM TIME TO TIME  
THEY MAY HAVE A STATEMENT  
THAT THEY WANT TO MAKE FOR  
THE RECORD. IF THEY STOP YOU  
WHILE SPEAKING PLEASE STOP  
SPEAKING, SO THEY WOULD BE  
ABLE TO MAKE THEIR COMMENTS  
FOR THE RECORD.

*[Witness nods her head in positive*  
*confirmation]*

FV O.K.... AND IF YOU ARE NOT  
FINISHED WITH YOUR STATEMENT,  
PLEASE MAKE SURE THAT YOU  
TELL THE INTERPRETER THAT YOU  
ARE NOT FINISHED SO HE WILL LET  
YOU FINISH YOUR STATEMENT. IF  
YOU DO NOT UNDERSTAND WHAT  
THE INTERPRETER SAID PLEASE  
MAKE SURE YOU LET HIM KNOW  
YOU DO NOT UNDERSTAND WHAT  
HE SAID SO HE COULD REPEAT THE  
QUESTION. DO YOU HAVE ANY  
QUESTIONS?

FW

**No.**

FV I BELIEVE YOU HAVE A BOTTLE OF  
WATER NEXT TO YOU. SO IF YOU  
NEED SOME WATER FEEL FREE TO  
TAKE IT... COUNSEL ARE YOU

1		READY?		READY?
2	MV1	YES MAAM... HOW OLD ARE YOU	FW	<b>Fifteen years old.</b>
3		SAFAA?		
4	Mv1	DO YOU KNOW YOUR BIRTH DATE?	FW	<b>1993.</b>
5	MV1	DO YOU KNOW WHAT MONTH YOU	FW	<b>The second month.</b>
6		WERE BORN?		
7	MV1	HOW ABOUT THE DAY?	FW	<b>I do not know.</b>
8	MV1	SAFAA WHERE DO YOU LIVE?	FW	<b>In Haditha ... Sabhani.</b>
9	MV1	AND HOW LONG HAVE YOU LIVED	FW	<b>Since my birth.</b>
10		IN HADITHA?		
11	MV1	HAVE YOU EVER MOVED AWAY	FW	<b>No.</b>
12		FROM HADITHA?		
13	MV1	HAVE YOU EVER BEEN OUTSIDE	FW	<b>No.</b>
14		HADITHA ON VISITS?		
15	MV1	ARE YOU ON ANY MEDICATION	FW	<b>No.</b>
16		TODAY?		
17	MV1	DO YOU HAVE ANY PHYSICAL	FW	<b>No.</b>
18		ILLNESS?		
19	MV1	HAS ANYBODY TOLD YOU WHAT TO	FW	<b>No.</b>
20		SAY TODAY?		
21	MV1	HAVE YOU BEEN THREATENED AT	FW	<b>No.</b>
22		ALL PRIOR TO COMING HERE		
23		TODAY?		
24	MV1	DO YOU KNOW THE REASON WHY	FW	<b>I believe it is about the case.</b>
25		YOU ARE HERE TODAY?		
26	MV1	WHAT IS YOUR UNDERSTANDING	FW	<b>Yes.</b>
27		WHAT THE CASE IS ABOUT?		
28	MV1	WHEN YOU SAY CASE, WHAT DO	FW	<b>Massacre of Haditha.</b>

1		YOU THINK THE CASE IS ABOUT?		
2		WHAT IS YOUR UNDERSTANDING		
3		OF THE CASE?		
4	MV1	WHO DO YOU CURRENTLY LIVE	FW	<b>At my grandfather's house.</b>
5		WITH?		
6	MV1	DO YOU LIVE WITH YOUR MUM AND	FW	<b>No.</b>
7		DAD?		
8	MV1	WHY NOT?	FW	<b>Because they are dead. Naturally I used</b>
9				<b>to live with them.</b>
10	MV1	YOU SAY THEY ARE DEAD NOW?	FW	<b>Yes, of course.</b>
11	MV1	DO YOU REMEMBER THE DAY THEY	FW	<b>A Saturday.</b>
12		DIED?		
13	MV1	DO YOU KNOW WHAT YEAR?	FW	<b>2005</b>
14	MV1	DO YOU KNOW WHAT MONTH?	FW	<b>No.</b>
15	MV1	I WANT TO TAKE YOU BACK TO THE	FW	<b>I was asleep ... It was morning</b>
16		DAY YOUR MUM AND DAD DIED...		
17		CAN YOU TELL US ...CAN YOU TELL		
18		US WHAT YOU WERE DOING		
19		DURING THE FIRST PART OF THE		
20		DAY?		
21	MV1	O.K.... AND DID YOU AWAKEN... DID	FW	<b>Yes, when the IED/bomb exploded.</b>
22		YOU AWAKEN AT SOME TIME THAT		<i>[The Arabic word used by the witness:</i>
23		MORNING?		<i>"IBUWA" is another word for a bomb. The</i>
24				<i>correct Arabic word for an IED would be</i>
25				<i>an "explosive device" But in the context of</i>
26				<i>the incident under discussion it would</i>
27				<i>mean: "an explosive device" or IED."]</i>
28	MV1	DO YOU REMEMBER WHAT TIME	FW	<b>No.</b>

1		THE IED WENT OFF?		
2	MV1	WAS IT STILL IN THE MORNING?	FW	<b>Yes.</b>
3	MV1	SAFAA DID YOU RECALL... DID YOU	FW	<b>I do not know exactly.</b>
4		RECALL WHAT WENT OFF? IED OR		
5		YOU SAID A BOMB?		
6	MV1	GUESS I NEED TO KNOW DID SHE	INT	HERE IS MY SPELLING: "AU B W A.
7		SAY AN IED OR DID SHE SAY A		
8		BOMB? WHEN I FIRST ASKED THE		
9		QUESTION DID YOU TRANSLATE IT		
10		ACCURATELY?		
11	FV	THANK YOU.	FV	THANK YOU.
12	MV1	O.K.... CAN WE CONTINUE NOW,	MV1	O.K.... CAN WE CONTINUE NOW,
13		MAAM?		MAAM?
14	FV	WE ARE WAITING FOR YOUR	FV	WE ARE WAITING FOR YOUR
15		QUESTIONS. WE ARE WAITING FOR		QUESTIONS. WE ARE WAITING FOR
16		YOUR ...		YOUR ...
17	MV1	AFTER YOU HEARD THE IED GO OFF,	FW	<b>I did not do anything. But when the</b>
18		WHAT DID YOU DO?		<b>troops came and entered ... When the</b>
19				<b>troops came in, firing started against the</b>
20				<b>house.</b>
21	MV1	BEFORE WE GET TO THAT. WHO	FW	<b>Only our family.</b>
22		WAS IN THE HOUSE? AS SOON AS		
23		THE IED WENT OFF,WHO WAS IN		
24		YOUR HOUSE?		
25	MV1	CAN YOU NAME ALL YOUR FAMILY	FW	<b>My father, Yunis Salim Nasif.</b>
26		FOR ME?		
27	MV1	IS THAT ALL?	FW	<b>My mother, Aida Yassin Ahmed; my</b>
28				<b>sister, Noor Yunis Salim; my other</b>

1			<b>sister, Sabaa Yunis Salim; my other</b>
2			<b>sister, Zainab Yunis Salim; and the</b>
3			<b>other, Aisha Yunis Salim and my</b>
4			<b>brother Muhammad Yunis Salim.</b>
5	MV1	WAS THERE ANYBODY ELSE IN THE	FW <b>My maternal aunt Huda Yassin Ahmed.</b>
6		HOUSE?	
7	MV1	AS SOON AS YOU HEARD THE IED	FW <b>Where? In the house? He was in his</b>
8		GO OFF WHERE WAS YOUR DAD	<b>room.</b>
9		YUNIS SALIM?	
10	MV1	WHERE WAS YOUR MUM AIDA?	FW <b>With him in the room.</b>
11	MV1	HOW ABOUT YOUR SISTER NOOR?	FW <b>In the other room.</b>
12	MV1	AND YOUR SISTER SABAA?	FW <b>With her in the room.</b>
13	MV1	AND YOUR SISTER ZAINAB?	FW <b>With her in the same room.</b>
14	MV1	AND YOUR SISTER AISHA?	FW <b>Also in the room.</b>
15	MV1	AND YOUR BROTHER MUHAMMED?	FW <b>With them in the room.</b>
16	MV1	AND YOUR AUNT HUDA?	FW <b>Also with them.</b>
17	MV1	WITH NOOR?	FW <b>Yes ... Yes in the room.</b>
18	MV1	AND WHERE WERE YOU?	FW <b>With them in the second room.</b>
19	MV1	YOU WERE IN THE SAME ROOM AS	FW <b>Yes.</b>
20		NOOR?	
21	MV1	WHAT WERE YOU ALL DOING IN	FW <b>We were sleeping there.</b>
22		NOOR'S ROOM?	
23	FW1	SO WHAT DID YOU DO WHEN YOU	FW <b>I woke up normally. I sat ... After a time</b>
24		WOKE UP?	<b>... after a time shooting started ... there</b>
25			<b>was a knock on the door.</b>
26	MV1	AND BEFORE YOU HEARD THE	FW <b>We had all sat in my father's room. We</b>
27		KNOCK ON THE DOOR, WHERE	<b>had gathered in my father's room.</b>
28		WERE YOU?	

1 MV1 AND WHY WERE YOU ALL FW **We were confused/scared.**  
2 GATHERED IN YOUR DAD'S ROOM?  
3 MV1 WHY WERE YOU SCARED? FW **Due to the noise.**  
4 MV1 WHAT SOUND? FW **The noise of the explosion.**  
5 MV1 YOU SAID YOU HEARD A KNOCK AT FW **After the knock on the door, my father**  
6 THE DOOR. WHAT HAPPENED AFTER **went to open the door. He had not yet**  
7 YOU HEARD A KNOCK AT THE **reached it, when there was firing at the**  
8 DOOR? **door. But he continued walking**  
9 **intending to open the door ... they shot**  
10 **him.**  
11 MV1 DID YOU SEE YOUR DAD GET SHOT? FW **No but I heard it.**  
12 MV1 AND WHAT HAPPENED AFTER YOU FW **American troops entered the house.**  
13 HEARD THE SOUND OF THE SHOT?  
14 MV1 HOW DO YOU KNOW THEY WERE FW **When the firing started we all gathered**  
15 AMERICAN FORCES THAT ENTERED **in one room, and the room door was**  
16 THE HOUSE? **open ... We looked through the door and**  
17 **saw the American troops. We became**  
18 **scared and went back inside. ... Shall I**  
19 **continue?**  
20 MV1 AND DO YOU REMEMBER HOW FW **I do not recall the exact number.**  
21 MANY AMERICAN FORCES YOU  
22 SAW?  
23 MV1 WERE THERE MORE THAN ONE? FW **I do not recall.**  
24 MV1 O.K. MV1 **O.K.**  
25  
26 **[End of recording]** **[End of recording]**  
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**Deposition DVD – Transcription**  
**by Hisham Malek, completed Dec 2010 of:**

**Safaa Yunis Salim Rasif** *[Nasif]*

**(2 of 3)**

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**DVD- TRANSCRIPTION**

**DVD- TRANSLATION**

**Safaa Yunis Salim Rasif (Nasif) DVD #4 2 of 2**

MV? HAS ANYONE SEEN BARD?  
MV/ HE WENT TO GET SOME WATER.  
MV? SURE DON'T WORRY ABOUT IT.  
MV1 AMAZING... AMAZING... AMAZING.  
MV? I WILL CHECK ABOUT IT. I WILL GO.  
[UN]  
MV? DO YOU WANT SOME?  
MV? THANKS [UNINTELLIGIBLE].  
MV1 ARE WE OFF THE RECORD?  
MV2 WILL TAKE A COUPLE OF MINUTES  
OUT.  
FV ANYBODY HAS ANYTHING BEFORE  
WE GO BACK ON THE REECORD?  
ANYONE? ... OK. ... WE ARE BACK  
ON THE RECORD ... SAFAA YUNIS  
SALIM RASIF I WILL REMIND YOU  
ARE STILL UNDER OATH ...  
COUNSEL DO YOU HAVE ANY  
OTHER QUESTIONS?  
MV1 YES MAAM.... SAFAA BEFORE WE  
BROKE WE WERE TALKING ABOUT  
THE SOUND OF WATER. I WANT TO  
GO BACK TO THAT. O.K.? ... SO THE

MV? HAS ANYONE SEEN BARD?  
MV? HE WENT TO GET SOME WATER.  
MV? SURE DON'T WORRY ABOUT IT.  
AMAZING... AMAZING... AMAZING.  
MV? I WILL CHECK ABOUT IT. I WILL GO.  
[UN]  
MV? DO YOU WANT SOME?  
MV? THANKS [UNINTELLIGIBLE].  
MV1 ARE WE OFF THE RECORD?  
MV2 WILL TAKE A COUPLE OF MINUTES  
OUT.  
FV ANYBODY HAS ANYTHING BEFORE  
WE GO BACK ON THE REECORD?  
ANYONE? ... OK. ... WE ARE BACK  
ON THE RECORD... SAFAA YUNIS  
SALIM RASIF I WILL REMIND YOU  
YOU ARE STILL UNDER OATH...  
COUNSEL DO YOU HAVE ANY  
OTHER QUESTIONS?  
MV1 YES MAAM.... SAFAA BEFORE WE  
BROKE WE WERE TALKING ABOUT  
THE SOUND OF WATER. I WANT TO  
GO BACK TO THAT. O.K.? ... SO THE

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FIRST TIME YOU HEARD WATER  
RUNNING, WHAT HAPPENED RIGHT  
AFTER YOU HEARD WATER  
RUNNING?

FW

MV1

SO... SO WHAT DID YOU DO AFTER  
YOUR AUNT SCREAMED?

FW

MV1

AND DO YOU KNOW FROM WHERE  
YOU HEARD THE AMERICAN  
FORCES WERE SHOOTING?

FW

MV1

YES.

FW

MV1

WHAT HAPPENED AFTER YOU  
HEARD THE AMERICAN FORCES  
WERE SHOOTING?

FW

FIRST TIME YOU HEARD WATER  
RUNNING, WHAT HAPPENED RIGHT  
AFTER YOU HEARD WATER.

FW

**I heard the sound of water ... I told you  
...My maternal aunt looked and saw my  
father dead ... I mean he was lying flat  
and had been shot.**

*[Local interpreter added the word  
"screamed"]*

MV!

SO... SO WHAT DID YOU DO AFTER  
YOUR AUNT SCREAMED?

FW

**I became confused ... I started crying ...  
And straight away the American troops  
came ... after she screamed ... And we  
said ... The American troops started  
firing.**

MV!

AND DO YOU KNOW FROM WHERE  
YOU HEARD THE AMERICAN  
FORCES WERE SHOOTING?

FW

**You mean from where?**

MV1

YES

FW

**I do not know.**

MV!

WHAT HAPPENED AFTER YOU  
HEARD THE AMERICAN FORCES  
WERE SHOOTING?

FW

**We were ... In the room... I mean we  
were there.**

1 MV1 O.K.  
2 FW  
3  
4  
5 MV1 UMM... WHEN YOU SAY BETWEEN  
6 THE WALL AND THE BED... UMM...  
7 WHICH WALL IN THE ROOM WAS  
8 THAT? DO YOU REMEMBER?  
9 FW  
10 MV1 O.K.... I WILL GIVE YOU A PIECE OF  
11 PAPER... AND PEN AND I WILL ASK  
12 YOU TO DRAW JUST THE OUTLINE  
13 OF THE ROOM. CAN YOU DRAW THE  
14 OUTLINE OF THE ROOM?  
15 FW  
16  
17 MV1 MAKE IT BIG ... DID YOU ... CAN  
18 YOU HOLD IT UP FOR ME REAL  
19 QUICK? ... O.K. ... AND WHAT KIND  
20 OF FURNITURE WAS IN THE ROOM?  
21 WHAT KIND OF FURNITURE WAS IN  
22 THE ROOM?  
23 FW  
24  
25  
26 MV1 CAN YOU DRAW THE BED ON THAT?  
27 WHERE THE BED WAS.  
28 FW

MV1 O.K.  
FW **I became scared. There was a space  
between the bed and the wall so I sat  
there.**  
MV1 UMM... WHEN YOU SAY BETWEEN  
THE WALL AND THE BED... UMM...  
WHICH WALL IN THE ROOM WAS  
THAT? DO YOU REMEMBER?  
FW **What wall?**  
MV1 O.K.... I WILL GIVE YOU A PIECE OF  
PAPER... AND PEN AND I WILL ASK  
YOU TO DRAW JUST THE OUTLINE  
OF THE ROOM. CAN YOU DRAW THE  
OUTLINE OF THE ROOM?  
FW **A large one or a small one or a regular  
one?**  
MV1 MAKE IT BIG ... DID YOU ... CAN  
YOU HOLD IT UP FOR ME REAL  
QUICK? ... O.K. ... AND WHAT KIND  
OF FURNITURE WAS IN THE ROOM?  
WHAT KIND OF FURNITURE WAS IN  
THE ROOM?  
FW **What? ... The door was here ... It is this  
one... I mean there was a wall and the  
bed was in the middle ...**  
MV1 CAN YOU DRAW THE BED ON THAT?  
WHERE THE BED WAS.  
FW **Can I explain it to you ... But here I am**

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MV1 O.K. ... WHAT I WANT TO YOU DO?  
... HOW MANY DOORS WAS IN THE  
ROOM?

FW

MV1 DRAW ON THERE WITH ANOTHER  
LINE WHERE THE DOOR WAS.

FW

MV1 I WANT YOU TO DRAW WHERE THE  
DOOR ON THE DIAGRAM. PUT  
ANOTHER LINE.

FW

FV HE JUST WANTS HER TO DRAW ON  
THE DIAGRAM.

MV2 WHAT DID SHE SAY?

FV WHAT DID SHE SAY?

MV1 NO. I WANT TO DRAW IT ON THAT  
SQUARE. IS THAT SQUARE WHAT  
THE ROOM LOOKS LIKE? ... THAT IS  
THE SHAPE OF THE ROOM?

FW

MV1 O.K. ... IS THAT LIKE THE ROOM  
THAT YOU WERE IN, THAT DAY?

FW

**unable to do it ...The diagram is not  
clear.**

MV1 O.K. ... WHAT I WANT TO YOU DO?  
... HOW MANY DOORS WAS IN THE  
ROOM?

FW **One door.**

MV1 DRAW ON THERE WITH ANOTHER  
LINE WHERE THE DOOR WAS.

FW **It was on the side ... There is a room  
here and that room door is there and this  
one here...**

MV1 I WANT YOU TO DRAW WHERE THE  
DOOR ON THE DIAGRAM. PUT  
ANOTHER LINE.

FW **Do you want me to point to the door?**

FV HE JUST WANTS HER TO DRAW ON  
THE DIAGRAM.

MV2 WHAT DID SHE SAY?

FV WHAT DID SHE SAY?

MV1 NO. I WANT TO DRAW IT ON THAT  
SQUARE. IS THAT SQUARE WHAT  
THE ROOM LOOKS LIKE? ... THAT IS  
THE SHAPE OF THE ROOM?

FW **Square. I mean like this ... I mean it is a  
regular room.**

MV1 O.K. ... IS THAT LIKE THE ROOM  
THAT YOU WERE IN, THAT DAY?

FW **Draw [UN] but if ... There is a**

1  
2 MV AAH! ... I AM GOING TO OBJECT. I  
3 WANT TO HEAR THE TRANSLATION  
4 OF EVERY WORD BEING SPOKEN.  
5 FV O.K... WHAT DID YOU SAY AND  
6 WHAT DID SHE SAY BEFORE WE GO  
7 FORWARD? ... O.K.... WHAT DID  
8 YOU SAY? WHAT DID SHE SAY TO  
9 YOU? ... WHAT DID SHE SAY? ... O.K.  
10 ASK HER TO REPEAT WHAT SHE  
11 JUST SAID.  
12 FW  
13  
14 MV1 AND YOU SAID THERE IS ONE DOOR  
15 IN THAT ROOM, RIGHT?  
16 FW  
17 MV1 O.K. ... I WANT YOU TO SHOW ME  
18 WITH THE PEN ... MARK WHERE THE  
19 DOOR WAS ON THE SQUARE.  
20 FW  
21  
22  
23  
24  
25  
26 MV1 ALL RIGHT. ... HERE I AM BACK TO  
27 THE WITNESS WITH A PEN... SAFAA  
28 WHAT I NEED YOU TO DO IS I NEED

**square...Which door?**  
MV2 AAH! ... I AM GOING TO OBJECT. I  
WANT TO HEAR THE TRANSLATION  
OF EVERY WORD BEING SPOKEN.  
FV O.K... WHAT DID YOU SAY AND  
WHAT DID SHE SAY BEFORE WE GO  
FORWARD? ... O.K.... WHAT DID  
YOU SAY? WHAT DID SHE SAY TO  
YOU? ... WHAT DID SHE SAY? ... O.K.  
ASK HER TO REPEAT WHAT SHE  
JUST SAID.  
FW **It is only a regular room... A square  
regular room.**  
MV1 AND YOU SAID THERE IS ONE DOOR  
IN THAT ROOM, RIGHT?  
FW **Yes.**  
MV1 O.K. ... I WANT YOU TO SHOW ME  
WITH THE PEN ... MARK WHERE THE  
DOOR WAS ON THE SQUARE.  
FW **To clarify a little ... There is a room here  
and another room there; but the door ...  
The door from which we enter ... There  
is a wall from here that runs alongside  
the second room from where we come to  
the living room.**  
ALL RIGHT. ... HERE I AM BACK TO  
THE WITNESS WITH A PEN... SAFAA  
WHAT I NEED YOU TO DO IS I NEED

1 YOU TO DRAW ON THAT SQUARE ...  
2 O.K. ... ON THAT SQUARE I JUST  
3 WANT YOU TO PUT ANOTHER LINE  
4 THAT WILL SIGNIFY WHERE THE  
5 DOOR IS IN THE ROOM.

6 FW

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11

12 MV1 THIS IS THE ROOM YOU ARE IN...  
13 WHERE WILL I ENTER THAT ROOM?  
14 ... MARK IT WITH A PEN... WITH A  
15 LINE, JUST A SMALL LINE.

16 FW [UN]

17 MV1 O.K.... I AM NOT BEING CLEAR, I  
18 GUESS! ... ALL RIGHT TRY IT AGAIN.  
19 PRETEND YOU ARE LOOKING  
20 DOWN AT THE ROOM. NOW WHILE  
21 LOOKING DOWN WHERE WILL THE  
22 DOOR BE? MARK IT.

23 FW

24  
25 MV1 NOW ... O.K. ... CAN YOU MARK IT  
26 ON THERE? ... UMM ... HOLD ON A  
27 SECOND. WE ARE GOING THIS [UN].  
28 THIS IS DEPOSITION EXHIBIT 1. WE

YOU TO DRAW ON THAT SQUARE...  
O.K.... ON THAT SQUARE I JUST  
WANT YOU TO PUT ANOTHER LINE  
THAT WILL SIGNIFY WHERE THE  
DOOR IS IN THE ROOM.

FW

**It cannot be made clear because it is the  
door of the room ...The door ... The  
door of the room ... There is room here  
and a room there and it is the door  
...But the door from which you enter the  
room.**

MV1 THIS IS THE ROOM YOU ARE IN...  
WHERE WILL I ENTER THAT ROOM?  
... MARK IT WITH A PEN... WITH A  
LINE, JUST A SMALL LINE.

FW [UN]

MV1 O.K.... I AM NOT BEING CLEAR, I  
GUESS! ... ALL RIGHT TRY IT AGAIN.  
PRETEND YOU ARE LOOKING DOWN  
AT THE ROOM. NOW WHILE  
LOOKING DOWN WHERE WILL THE  
DOOR BE? MARK IT.

FW

**If I was inside the room. Sitting like this  
I would be facing the door.**

MV1 NOW ... O.K. ... CAN YOU MARK IT  
ON THERE? ... UMM ... HOLD ON A  
SECOND. WE ARE GOING THIS [UN].  
THIS IS DEPOSITION EXHIBIT 1. WE

1 WILL TRY THIS AGAIN.  
2 FV O.K.  
3 MV1 O.K.... SAFAA ... I WANT YOU TO  
4 DRAW THE OUTLINE OF THE ROOM  
5 YOU WERE IN. OUTLINE ALL FOUR  
6 WALLS LIKE YOU ARE LOOKING  
7 DOWN ON IT ...WERE THERE FOUR  
8 WALLS IN THE ROOM?  
9 FW  
10 MV1 O.K.... WAS THERE A DOOR THEN?  
11 FW  
12 MV1 CAN YOU DRAW THE FOUR WALLS  
13 AS IF YOU ARE LOOKING DOWN ON  
14 YOUR HOUSE?  
15 FW  
16  
17 MV1 IS THE FOUR WALLS IN A SHAPE OF  
18 A SQUARE?  
19 FW  
20 MV1 CAN YOU DRAW A SQUARE ON THE  
21 PAPER?  
22 FW  
23 MV1 BIG ... O.K. ... NOW ON THE SIDE OF  
24 THAT SQUARE, I WANT YOU TO  
25 DRAW AN ARROW POINTING TO THE  
26 TOP OF THE PAGE, SIGNIFYING THE  
27 FRONT OF THE ROOM. ... WHAT I  
28 WANT ON THE SIDE THERE ... O.K. ...

WILL TRY THIS AGAIN.  
FW OK  
MV1 O.K.... SAFAA ... I WANT YOU TO  
DRAW THE OUTLINE OF THE ROOM  
YOU WERE IN. OUTLINE ALL FOUR  
WALLS LIKE YOU ARE LOOKING  
DOWN ON IT ...WERE THERE FOUR  
WALLS IN THE ROOM?  
FW **Yes.**  
MV1 O.K.... WAS THERE A DOOR THEN?  
FW **Yes.**  
MV1 CAN YOU DRAW THE FOUR WALLS  
AS IF YOU ARE LOOKING DOWN ON  
YOUR HOUSE?  
FW **I cannot draw. But I can explain. I  
cannot draw**  
MV1 IS THE FOUR WALLS IN A SHAPE OF  
A SQUARE?  
FW **Yes.**  
MV1 CAN YOU DRAW A SQUARE ON THE  
PAPER?  
FW **You mean draw a square?**  
MV1 BIG ... O.K. ... NOW ON THE SIDE OF  
THAT SQUARE, I WANT YOU TO  
DRAW AN ARROW POINTING TO THE  
TOP OF THE PAGE, SIGNIFYING THE  
FRONT OF THE ROOM. ... WHAT I  
WANT ON THE SIDE THERE ... O.K. ...

1 I WANT YOU TO PUT AN ARROW  
2 SHOWING ME WHERE THE FRONT OF  
3 THE ROOM IS?

4 FW

5 MV1 O.K. ...

6 FV COUNSEL EARLIER SHE INDICATED  
7 WHERE THE DIFFERENT ROOMS  
8 WERE ADJACENT. THAT MIGHT  
9 HELP HER ORIENTATE.

10 MV1 I DO NOT WANT TO DRAW THE  
11 WHOLE DIAGRAM. I BELIEVE THAT  
12 WOULD BE [UN] ... O.K. ... THAT ...  
13 THE SQUARE SIGNIFIES THE ROOM  
14 THAT YOU WERE IN THAT DAY?

15 FW

16 MV1 O.K.... YOU SAID EARLIER, WHEN I  
17 ASKED IF THERE IS ANY FURNITURE  
18 IN THE ROOM, WAS THERE ANY  
19 FURNITURE IN THE ROOM?

20 FW

21 MV1 WHAT KIND OF FURNITURE WAS IT?

22 FW

23 MV1 YEAH.

24 FW

25 MV1 JUST TELL ...

26 FW

27

28

I WANT YOU TO PUT AN ARROW  
SHOWING ME WHERE THE FRONT OF  
THE ROOM IS?

FW **I do not understand what?**

MV1 OK

FV COUNSEL EARLIER SHE INDICATED  
WHERE THE DIFFERENT ROOMS  
WERE ADJACENT. THAT MIGHT  
HELP HER ORIENTATE.

MV1 I DO NOT WANT TO DRAW THE  
WHOLE DIAGRAM. I BELIEVE THAT  
WOULD BE [UN] ... O.K. ... THAT ...  
THE SQUARE SIGNIFIES THE ROOM  
THAT YOU WERE IN THAT DAY?

FW **Yes.**

MV1 O.K.... YOU SAID EARLIER, WHEN I  
ASKED IF THERE IS ANY FURNITURE  
IN THE ROOM, WAS THERE ANY  
FURNITURE IN THE ROOM?

FW **There was...**

MV1 WHAT KIND OF FURNITURE WAS IT?

FW **Shall I enumerate what was there?**

MV1 YEAH.

FW **A closet.**

MV1 JUST TELL

FW **Shall I enumerate for him? ... A mirror,  
underneath it a table ... A mirror on top  
of the table, with two drawers, and a bed**

1 MV1 O.K. ... THE BED. CAN YOU DRAW  
2 THE BED WHERE IT IS IN THE ROOM  
3 ON THAT SQUARE?

4 FW

5 MV1 O.K.... I WANT YOU TO DRAW THE  
6 BED WHERE IT IS IN THAT SQUARE.

7 FW

8  
9 MV1 O.K. ... YOU DO NOT KNOW HOW TO  
10 DRAW ... WE ARE GOING TO HELP  
11 YOU WITH THAT ...HOW LONG  
12 HAVE YOUR LIVED IN THIS HOUSE?  
13 HOW LONG DID YOU LIVE IN THAT  
14 HOUSE?

15 FW

16 MV1 UMM ... HOW MANY ROOMS WHERE  
17 IN THAT HOUSE?

18 FW

19  
20 MV1 HOW MANY BEDROOMS?

21 FW

22 MV1 AND WHERE WERE THESE ROOMS  
23 LOCATE IN THE HOME?

24 FW

25  
26 MV1 WHERE THEY IN FRONT OF THE  
27 HOUSE? ... WERE THE BEDROOMS IN  
28 FRONT OF THE HOUSE?

MV1 O.K. ... THE BED. CAN YOU DRAW  
THE BED WHERE IT IS IN THE ROOM  
ON THAT SQUARE?

FW **I can explain it ... I mean clarify**

MV1 O.K.... I WANT YOU TO DRAW THE  
BED WHERE IT IS IN THAT SQUARE.

FW **I cannot. I mean I do not know how to  
draw.**

MV1 O.K. ... YOU DO NOT KNOW HOW TO  
DRAW ... WE ARE GOING TO HELP  
YOU WITH THAT ...HOW LONG  
HAVE YOUR LIVED IN THIS HOUSE?  
HOW LONG DID YOU LIVE IN THAT  
HOUSE?

FW **I do not know.**

MV1 UMM ... HOW MANY ROOMS WHERE  
IN THAT HOUSE?

FW **Does he mean the room and the living  
room included?**

MV1 HOW MANY BEDROOMS

FW **Two. One for us and one for our parents.**

MV1 AND WHERE WERE THESE ROOMS  
LOCATE IN THE HOME?

FW **Where the kitchen door is ... The  
kitchen door faces them.**

MV1 WHERE THEY IN FRONT OF THE  
HOUSE? ... WERE THE BEDROOMS IN  
FRONT OF THE HOUSE?

1 FW  
2 MV1 [OVERLAPPING] O.K. ... WERE THEY  
3 ON THE 1<sup>ST</sup> FLOOR?

4 FW

5

6

7

8

9 MV1 O.K. ... WHEN ENTER THE ROOM ...  
10 WHEN YOU ENTER THE ... THAT  
11 BACK ROOM THROUGH THE DOOR  
12 ...AS YOU WALK THROUGH THE  
13 DOOR, WHERE IS THE BED? IS IT TO  
14 YOUR LEFT OR IS IT TO YOUR  
15 RIGHT?

16 FW

17

18

19 MV1 AND WHEN YOU LOOK TO THE  
20 RIGHT AS YOU ENTER THAT ROOM  
21 WHAT DO YOU SEE?

22 FW

23

24

25 MV1 IS THERE ANY WINDOWS AS YOU  
26 LOOK TO YOUR RIGHT?

27 FW

28 MV1 O.K. ... WHEN YOU LOOK TO YOUR

FW **No.**

MV1 [OVERLAPPING] O.K. ... WERE THEY  
ON THE 1<sup>ST</sup> FLOOR?

FW

**When you ... When you enter it is facing  
you. But on this side there is a staircase  
and on the other side there is bathroom...  
From this side there is staircase and a  
toilet.**

MV1

O.K. ... WHEN ENTER THE ROOM ...  
WHEN YOU ENTER THE THAT BACK  
ROOM THROUGH THE DOOR ...AS  
YOU WALK THROUGH THE DOOR,  
WHERE IS THE BED? IS IT TO YOUR  
LEFT OR IS IT TO YOUR RIGHT?

FW

**When you enter the room the bed is on  
your right... On your left ... On the  
right.**

MV1

AND WHEN YOU LOOK TO THE  
RIGHT AS YOU ENTER THAT ROOM  
WHAT DO YOU SEE?

FW

**The bed in front of it. When I first enter,  
the bed is on the right and facing it is the  
mirror.**

MV1

IS THERE ANY WINDOWS AS YOU  
LOOK TO YOUR RIGHT?

FW

**Yes.**

MV1

O.K. ... WHEN YOU LOOK TO YOUR

1 RIGHT AND YOU LOOK DIRECTLY  
2 TO THE WALL ON YOUR RIGHT, IS  
3 THERE A WINDOW ON THAT WALL?

4 FW

5 MV1 YES.

6 FW

7

8

9 MV1 ON WHAT SIDE?

10 FW

11

12 MV1 O.K. ... SO THERE ARE TWO  
13 WINDOWS?

14 FW

15 MV1 ON TWO DIFFERENT WALLS?

16 FW

17

18

19 MV1 I AM SORRY.

20 FW

21 MV1 WHAT WAS THE LAST REPLY?

22 *[Local interpreter repeats the witness's*  
23 *answer]*

24 MV1 LET US GO BACK TO WHERE IT  
25 STARTED THIS PAINFUL EXERCISE  
26 AND THAT WAS WHEN I ASKED AND  
27 YOU SAID I WAS ON THE FLOOR  
28 BETWEEN THE BED AND THE WALL

RIGHT AND YOU LOOK DIRECTLY  
TO THE WALL ON YOUR RIGHT, IS  
THERE A WINDOW ON THAT WALL?

FW **On entering the room?**

MV1 YES.

FW **Do you mean when I stand at the door or  
enter the room? Facing the door there is  
not. ... But there is one to the side.**

MV1 ON WHAT SIDE?

FW **There is one on both sides. On the right  
when you enter [UN]**

MV1 O.K. ... SO THERE ARE TWO  
WINDOWS?

FW **Yes.**

MV1 ON TWO DIFFERENT WALLS?

FW **One moment. Let me remember... As  
there are two rooms I am getting  
confused.**

MV1 I AM SORRY.

FW **As far as my memory serves me.**

MV1 WHAT WAS THE LAST REPLY?

*[Local interpreter repeats the witness's*  
*answer]*

MV1 LET US GO BACK TO WHERE IT  
STARTED THIS PAINFUL EXERCISE  
AND THAT WAS WHEN I ASKED AND  
YOU SAID I WAS ON THE FLOOR  
BETWEEN THE BED AND THE WALL

1 ... I AM JUST TRYING TO FIGURE  
2 OUT WHAT YOU MEAN BY  
3 BETWEEN THE BED AND THE WALL?

4 FW

5  
6  
7

8  
9

10 MV1 O.K.... AND...BETWEEN THE BED  
11 AND THE WALL... WAS THERE  
12 ANYONE ELSE BEWEEN THE BED  
13 AND THE WALL?

14 FW

15  
16  
17 MV1 WHICH SISTER?

18 FW

19 MV1 YOU SAID SHE WAS NEXT TO YOU.  
20 WAS SHE ON THE FLOOR TOO?

21 FW

22  
23 MV1 WHAT DO YOU MEAN THIS SIDE  
24 AND THAT SIDE? I MEAN WAS SHE  
25 BETWEEN THE BED AND THE WALL?

26 MV2 OBJECTION. COMPOUND.

27 MV1 WAS SHE ON THE FLOOR ON THE  
28 FLOOR BETWEEN THE BED AND THE

... I AM JUST TRYING TO FIGURE  
OUT WHAT YOU MEAN BY  
BETWEEN THE BED AND THE WALL?

FW

**You mean the bed? When the American  
troops entered. That is to say when he  
came inside the room. As a result of  
being scared I ended up between ...**

*[Local interpreter added in his translation:  
" I became between the wall and the bed]*

MV1 O.K.... AND...BETWEEN THE BED  
AND THE WALL... WAS THERE  
ANYONE ELSE BEWEEN THE BED  
AND THE WALL?

FW

**I am unable to recall ...But when the  
shooting and firing calmed down, I saw  
my sister next to me.**

MV1

WHICH SISTER?

FW

**Noor.**

MV1

YOU SAID SHE WAS NEXT TO YOU.  
WAS SHE ON THE FLOOR TOO?

FW

**Yes... That is to say she and I ended up  
there.**

MV1

WHAT DO YOU MEAN THIS SIDE  
AND THAT SIDE? I MEAN WAS SHE  
BETWEEN THE BED AND THE WALL

MV2

OBJECTION. COMPOUND.

MV1

WAS SHE ON THE FLOOR ON THE  
FLOOR BETWEEN THE BED AND THE

1 WALL ON THE SAME SIDE OF THE  
2 BED WHERE YOU WERE?

3 FW

4 MV1 THIS DIRECTION BEING TOWARDS  
5 THE FRONT OF THE BED... BACK OF  
6 THE BED?

7 FW

8  
9 MV1 O.K.... ALL RIGHT WHEN YOU SAW  
10 NOOR ON THE FLOOR WHAT WAS  
11 SHE DOING?

12 FW

13 MV1 O.K. ... WHAT DOES SHE MEAN HIT  
14 ON THE HEAD?

15 FW

16  
17  
18  
19  
20 MV1 O.K. ... BEFORE WE GET TO ALL  
21 THAT ... NOW LET US TAKE IT STEP  
22 BY STEP ... YOU SAID. AND I WILL  
23 TAKE YOU BACK WHEN YOUR  
24 AUNT STARTED TO SCREAM ... DO  
25 YOU REMEMBER?

26 FW

27 MV1 DO YOU REMEMBER YOU TOLD ME  
28 FEW MINUTES AGO THAT YOUR

WALL ON THE SAME SIDE OF THE  
BED WHERE YOU WERE?

FW

**Yes she and I were in this direction...**

MV1

THIS DIRECTION BEING TOWARDS  
THE FRONT OF THE BED... BACK OF  
THE BED?

FW

**That is to say both of us were alongside  
(the length of)the bed.**

MV1

O.K.... ALL RIGHT WHEN YOU SAW  
NOOR ON THE FLOOR WHAT WAS  
SHE DOING?

FW

**I felt her head and she had been shot.**

MV1

O.K. ... WHAT DOES SHE MEAN HIT  
ON THE HEAD?

FW

**She had been shot. I told you. When the  
shooting stopped ... That is to say I tried  
to wake her up telling her to get up and  
come with me... Those on the bed were  
all dead.**

MV1

O.K. ... BEFORE WE GET TO ALL  
THAT ... NOW LET US TAKE IT STEP  
BY STEP ... YOU SAID AND I WILL  
TAKE YOU BACK TO WHEN YOUR  
AUNT STARTED TO SCREAM ... DO  
YOU REMEMBER?

FW

**Remember what?**

MV!

DO YOU REMEMBER YOU TOLD ME  
FEW MINUTES AGO THAT YOUR

1 AUNT SCREAMED?  
2 FW  
3 MV1 O.K.... AFTER YOUR AUNT  
4 SCREAMED YOU SAID YOU WERE  
5 SCARED AND CONFUSED AND YOU  
6 GOT ON THE FLOOR BETWEEN THE  
7 BED AND THE WALL.  
8 FW  
9  
10 MV1 O.K... WHEN YOU SAY YOU HEARD  
11 DURING... DID YOU SEE ANYTHING?  
12  
13 FW  
14 MV1 ANYTHING.  
15 FW  
16 MV1 AND YOU SAID YOU HEARD FIRING  
17 ...WHAT DOES THAT MEAN? WHAT  
18 DID YOU EXACTLY HEAR?  
19 FW  
20 MV1 WHAT NOISE DID YOU HEAR?  
21 FW  
22 FV WAIT ... WAIT.  
23 MV1 DID YOU SEE ANYBODY COMING  
24 INTO THE ROOM?  
25 FW  
26  
27 MV1 AND WHAT DID YOU SEE?  
28 FW

AUNT SCREAMED?  
FW **Yes.**  
MV1 O.K.... AFTER YOUR AUNT  
SCREAMED YOU SAID YOU WERE  
SCARED AND CONFUSED AND YOU  
GOT ON THE FLOOR BETWEEN THE  
BED AND THE WALL.  
FW **When I first woke up I sat on the bed.  
When I heard gun fire I went down.**  
MV1 O.K... WHEN YOU SAY YOU HEARD  
DURING ... DID YOU SEE  
ANYTHING?  
FW **See what?**  
MV1 ANYTHING.  
FW **No.**  
MV1 AND YOU SAID YOU HEARD FIRING  
...WHAT DOES THAT MEAN? WHAT  
DID YOU EXACTLY HEAR?  
FW **What?**  
MV1 WHAT NOISE DID YOU HEAR  
FW **Gun fire.**  
FV WAIT ... WAIT.  
MV1 DID YOU SEE ANYBODY COMING  
INTO THE ROOM?  
FW **I saw from underneath the bed ... That  
is to say.**  
MV1 AND WHAT DID YOU SEE?  
FW **I saw a person, he was American from**

1  
2 MV1 AND WHAT DID YOU SEE?? FROM  
3 UNDER THE BED?  
4 FW  
5 MV1 AND HOW CAN YOU TELL THEY ARE  
6 AMERICANS?  
7 FW  
8 MV1 AND YOU COULD SEE THE WHOLE  
9 PROCESS FROM UNDER THE BED?  
10 FW  
11 MV1 AND WHERE WERE THEY?  
12 FW  
13 MV1 AND WHERE WAS THAT ONE  
14 PERSON  
15 FW  
16  
17 MV1 O.K..... AND WAS THAT PERSON  
18 HOLDING ANYTHING?  
19 FW  
20 MV1 WHAT WAS THAT ONE PERSON  
21 HOLDING?  
22 FW  
23 MV1 AND THAT PERSON WAS FIRING THE  
24 WEAPON?  
25 FW  
26 MV1 YES?  
27 FW  
28 MV1 COULD YOU SEE WHAT THAT

**his shape/figure**  
MV1 AND WHAT DID YOU SEE? FROM  
UNDER THE BED?  
FW **Yes.**  
MV1 AND HOW CAN YOU TELL THEY ARE  
AMERICANS?  
FW **That is to say from his shape/figure.**  
MV1 AND YOU COULD SEE THE WHOLE  
PROCESS FROM UNDER THE BED  
FW **Yes.**  
MV1 AND WHERE WERE THEY  
FW **What? I only saw one person.**  
MV1 AND WHERE WAS THAT ONE  
PERSON  
FW **In the room... But I could not tell his  
exact location.**  
MV1 O.K..... AND WAS THAT PERSON  
HOLDING ANYTHING  
FW **Yes.**  
MV1 WHAT WAS THAT ONE PERSON  
HOLDING?  
FW **A weapon.**  
MV1 AND THAT PERSON WAS FIRING THE  
WEAPON?  
FW **When I saw him...Yes.**  
MV1 YES?  
FW **Yes.**  
MV1 COULD YOU SEE WHAT THAT

1 PERSON WAS FIRING AT?  
2 FW  
3 MV1 WHAT? ... O.K. ...AND THEN WHEN  
4 YOU FAINTED, WHAT DO YOU  
5 REMEMBER NEXT?  
6 FW  
7  
8  
9 MV1 WHAT SISTER?  
10 FW  
11 MV1 WHAT HAPPENED AFTER YOU TRIED  
12 TO WAKE HER?  
13 FW  
14  
15  
16  
17  
18  
19  
20 MV1 AND WHAT HAPPENED NEXT?  
21 FW  
22  
23  
24  
25  
26  
27 MV1 AND WHAT HAPPENED NEXT?  
28 FW

PERSON WAS FIRING AT  
**No. When I saw this person I passed out.**  
WHAT? ... O.K. ...AND THEN WHEN  
YOU FAINTED, WHAT DO YOU  
REMEMBER NEXT?  
FW **I mean when I woke up the sound of  
firing had quieted down ... I tried to  
wake up my sister to be with me.**  
MV1 WHAT SISTER  
FW **Noor who was next to me.**  
MV1 WHAT HAPPENED AFTER YOU TRIED  
TO WAKE HER?  
FW **I saw her. I knew she was dead because  
her head ... there was blood underneath  
the bed ... That is to say ... I sat up and  
saw my brother crying and he had been  
hit. That is to say he was hit in the hand.  
I tried to bandage it with something but  
he said No... No...It is hurting me.**  
MV1 AND WHAT HAPPENED NEXT?  
FW **I tried to take him with me to my uncle's  
house. I tried telling him let us go to my  
uncle's house. Which is next to our's. He  
said No... No... I cannot, you go by  
yourself because he was injured. He told  
me "No I cannot. You go."**  
MV1 AND WHAT HAPPENED NEXT?  
FW **I passed out... That is to say I fainted a**

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28

MV1 AND WHERE DID YOU FAINT?  
FW  
MV1 WHAT HAPPENED NEXT?  
FW  
MV1 WHAT DID YOU SEE?  
FW  
MV1 WHEN YOU SAY THE WHOLE  
FAMILY. DID YOU SEE YOUR MUM?  
FW  
MV1 WHERE WAS YOUR MUM?  
FW  
MV1 AND DID YOU SEE YOUR  
BROTHER?  
FW  
MV1 AND WHERE WAS YOUR BROTHER?  
FW  
MV1 O.K.... DID YOU SEE YOUR SISTER  
AISHA?  
FW  
MV1 AND WHERE WAS YOUR SISTER  
AISHA?  
FW  
MV1 DID YOU SEE YOUR SISTER SABAA?  
SABAA ...  
FW  
MV1 YES ... WHERE WAS YOUR SISTER

**second time.**  
MV1 AND WHERE DID YOU FAINT?  
FW **I was between the wall and the bed.**  
MV1 WHAT HAPPENED NEXT?  
FW **I passed out and came-to after midday.**  
MV1 WHAT DID YOU SEE?  
FW **I looked and saw the entire family dead.**  
MV1 WHEN YOU SAY THE WHOLE  
FAMILY. DID YOU SEE YOUR MUM?  
FW **I saw her.**  
MV1 WHERE WAS YOUR MUM?  
FW **She was on top of the bed because she  
had undergone a surgical operation.**  
MV1 AND DID YOU SEE YOUR  
BROTHER?  
FW **Yes.**  
MV1 AND WHERE WAS YOUR BROTHER?  
FW **He was also on the bed.**  
MV1 O.K.... DID YOU SEE YOUR SISTER  
AISHA?  
FW **Yes.**  
MV1 AND WHERE WAS YOUR SISTER  
AISHA?  
FW **Also on the bed.**  
MV1 DID YOU SEE YOUR SISTER SABAA?  
SABAA ...  
FW Sabaa  
MV1 YES ... WHERE WAS YOUR SISTER

1 SABAA?  
2 FW  
3 MV1 DID YOU SEE YOUR SISTER ZENA?  
4 FW  
5 MV1 AND WHERE WAS YOUR SISTER ¿  
6 FW  
7 MV1 DID YOU SEE YOUR AUNT HUDA?  
8 FW  
9 MV1 DO YOU REMEMBER WHERE YOU  
10 SAW HER?  
11 FW  
12  
13  
14 MV1 DID YOU ACTUALLY SEE YOUR DAD  
15 THAT DAY AGAIN?  
16 FW  
17  
18 MV I AM SORRY! WHAT WAS IT?  
19 "PASSED BY HIM AND DID NOT SEE  
20 HIM"?  
21 MV1 SABAA BEFORE YOU FAINTED THE  
22 FIRST TIME, YOU SAID YOU SAW AN  
23 AMERICAN SHOOTING IN THE  
24 ROOM?  
25 FW  
26  
27  
28 MV1 AND YOU SAID THAT SAW YOU

SABAA?  
FW **Also on the bed.**  
MV1 DID YOU SEE YOUR SISTER ZENA?  
FW **Yes.**  
MV1 AND WHERE WAS YOUR SISTER?  
FW **On the bed.**  
MV1 DID YOU SEE YOUR AUNT HUDA?  
FW **Yes. When I stood up, I saw her.**  
MV1 DO YOU REMEMBER WHERE YOU  
SAW HER?  
FW **On the floor ...On the floor next to the  
bed ... Not on the side where we were ...  
On the other side**  
MV1 DID YOU ACTUALLY SEE YOUR DAD  
THAT DAY AGAIN?  
FW **No. I passed by him but I did not see  
him.**  
MV2 I AM SORRY! WHAT WAS IT?  
"PASSED BY HIM AND DID NOT SEE  
HIM"?  
MV1 SABAA BEFORE YOU FAINTED THE  
FIRST TIME, YOU SAID YOU SAW AN  
AMERICAN SHOOTING IN THE  
ROOM?  
FW **I saw from his shape/figure that he was  
American and I noticed that when he  
started shooting.**  
MV1 AND YOU SAID THAT YOU SAW

1 THAT PERSON FROM UNDER THE  
2 BED?  
3 FW  
4 MV1 DO YOU REMEMBER WHETHER IT  
5 WAS DARK OR LIGHT IN THE ROOM?  
6 FW  
7  
8 MV2 OBJECTION.NON RESPONSIVE. NO  
9 QUESTION.  
10 FV QUESTION...?  
11 MV1 BEFORE THE AMERICAN CAME  
12 SHOOTING IN THE ROOM, COULD  
13 YOU SEE IN THE ROOM WHEN  
14 SITTING ON THE BED?  
15 MV2 OBJECTION. IT HAS BEEN ASKED  
16 AND ANSWERED. SHE HAS  
17 ALREADY ANSWERED THIS  
18 QUESTION.  
19 FV SHE CAN GO AHEAD AND ANSWER  
20 FW  
21 MV1 COULD YOU?... DID YOU? WAS  
22 THERE ENOUGH LIGHT TO SEE IN  
23 THE ROOM BEFORE THE AMERICAN  
24 CAME SHOOTING WHEN YOU WERE  
25 SITTING ON THE BED?  
26 MV2 LEADING, COMPOUND, VAGUE,  
27 ASKED AND ANSWERED AND ALL  
28 THE ABOVE.

THAT PERSON FROM UNDER THE  
BED?  
FW **Yes.**  
MV1 DO YOU REMEMBER WHETHER IT  
WAS DARK OR LIGHT IN THE ROOM?  
FW **No... No... The sun had already come up  
... but I do not know if the light was on.**  
MV2 OBJECTION.NON RESPONSIVE. NO  
QUESTION.  
FV QUESTION....?  
MV1 BEFORE THE AMERICAN CAME  
SHOOTING IN THE ROOM, COULD  
YOU SEE IN THE ROOM WHEN  
SITTING ON THE BED?  
MV2 OBJECTION. IT HAS BEEN ASKED  
AND ANSWERED. SHE HAS  
ALREADY ANSWERED THIS  
QUESTION.  
FV SHE CAN GO AHEAD AND ANSWER  
FW **Repeat the question.**  
MV1 COULD YOU?... DID YOU? WAS  
THERE ENOUGH LIGHT TO SEE IN  
THE ROOM BEFORE THE AMERICAN  
CAME SHOOTING WHEN YOU WERE  
SITTING ON THE BED?  
MV2 LEADING, COMPOUND, VAGUE,  
ASKED AND ANSWERED AND ALL  
THE ABOVE.

1 MV1 ACTUALLY IT IS NOT. BECAUSE I MV1 ACTUALLY IT IS NOT. BECAUSE I  
2 ASKED WHEN SHE WAS ON THE ASKED WHEN SHE WAS ON THE  
3 FLOOR LOOKING FROM FLOOR LOOKING FROM  
4 UNDERNEATH THE BED. UNDERNEATH THE BED.  
5 MV2 SHE ALREADY ANSWERED THIS MV2 SHE ALREADY ANSWERED THIS  
6 QUESTION. QUESTION.  
7 MV1 I AM ASKING WHEN SHE WAS MV1 I AM ASKING WHEN SHE WAS  
8 SITTING ON THE BED.IT IS A SITTING ON THE BED. IT IS A  
9 DIFFERENT TIME. DIFFERENT TIME.  
10 MV2 SITTING ON THE BED IS WHAT? 30 MV2 SITTING ON THE BED IS WHAT? 30  
11 SECONDS LATER? IT IS CRAZY. SECONDS LATER? IT IS CRAZY.  
12 ABSOULTELYY NOT. ABSOULELYTY NOT.  
13 MV1 IT IS A DIFFERENT PRESPECTIVE MV1 IT IS A DIFFERENT PRESPECTIVE  
14 [OVERLAPPING VOICES] [OVERLAPPING VOICES]  
15 MV2 YOU ARE LEADING THE WITNESS. I MV2 YOU ARE LEADING THE WITNESS. I  
16 WILL NOT PERMIT THAT WILL NOT PERMIT THAT  
17 MV1 WELL ... MV1 WELL ...  
18 FV I TAKE NOTICE COUNSEL. YOUR FV I TAKE NOTICE COUNSEL. YOUR  
19 OBJECTIONS ARE NOTED FOR THE OBJECTIONS ARE NOTED FOR THE  
20 RECORD. IT IS NOTED. RECORD. IT IS NOTED.  
21 MV2 YOU ARE GOING ALONG WITH MV2 YOU ARE GOING ALONG WITH  
22 THAT? MAN IT RIDICULOUS! THAT? MAN IT RIDICULOUS!  
23 FV I AM GOING... YOUR OBJECTIONS FV I AM GOING... YOUR OBJECTIONS  
24 ARE NOTED FOR THE RECORD... ARE NOTED FOR THE RECORD...  
25 WHAT WAS THE QUESTION? WHAT WHAT WAS THE QUESTION? WHAT  
26 WAS THE LAST QUESTION THAT WAS THE LAST QUESTION THAT  
27 YOUR ASKED COUNSEL? YOUR ASKED COUNSEL?  
28 MV1 SAFAA WHEN YOU WERE SITTING MV1 SAFAA WHEN YOU WERE SITTING

1 ON THE BED WHAT WAS THE  
2 LIGHTNING LIKE IN THE ROOM?  
3 FW  
4  
5 MV1 AND HOW MANY WINDOWS WERE  
6 IN THAT ROOM?  
7 FW  
8  
9 MV1 DO YOU REMEMBER IF THERE WERE  
10 CURTAINS ON THE WINDOWS?  
11 FW  
12 MV1 DO YOU KNOW IF THOSE CURTAINS  
13 WERE CLOSED OR IF THEY WERE  
14 OPEN?  
15 FW  
16  
17 FV ARE WE AT A STOPPING POINT?  
18 MV1 [UN]  
19 FV O.K. THANK YOU. LET US TAKE A  
20 BREAK OF FEW MINUTES ...FEW  
21 MINUTES.  
22 MV3 MAAM ARE YOU GOING TO TRACK  
23 DOWN THESE EXHIBITS OF  
24 COUNSELS?  
25 FV ACTUALLY I AM GOING TO TRACK  
26 THESE EXHIBITS. I AM GOING TO  
27 MAKE COPIES AND GIVE THEM TO  
28 YOU.

ON THE BED WHAT WAS THE  
LIGHTNING LIKE IN THE ROOM?  
FW **I do not recall if the light was on or not.  
But there was sun light.**  
MV1 AND HOW MANY WINDOWS WERE  
IN THAT ROOM?  
FW **I am unable to recall. But what I can  
recall is that there were two.**  
MV1 DO YOU REMEMBER IF THERE WERE  
CURTAINS ON THE WINDOWS?  
FW **Yes.**  
MV1 DO YOU KNOW IF THOSE CURTAINS  
WERE CLOSED OR THEY WERE  
OPEN?  
FW **I do not recall but as far as I recall they  
were closed.**  
FV ARE WE AT A STOPPING POINT?  
MV1 [UN]  
FV O.K. THANK YOU. LET US TAKE A  
BREAK OF FEW MINUTES ...FEW  
MINUTES.  
MV3 MAAM ARE YOU GOING TO TRACK  
DOWN THESE EXHIBITS OF  
COUNSELS?  
FV ACTUALLY I AM GOING TO TRACK  
THESE EXHIBITS. I AM GOING TO  
MAKE COPIES AND GIVE THEM TO  
YOU.

1 MV3 I DO NOT NEED THEM TO MAKE MV3 I DO NOT NEED THEM TO MAKE  
2 COPIES MAAM. COPIES MAAM.  
3 FV I MEAN THE ORIGINAL. FV I MEAN THE ORIGINAL.  
4 MV3 OH YES MAAM. MV3 OH YES MAAM.  
5 FV THE ORIGINAL TO GO WITH THE FV THE ORIGINAL TO GO WITH THE  
6 RECORD. YOU WILL TRANSCRIBE RECORD. YOU WILL TRANSCRIBE  
7 BUT I AM GOING TO MENTION THIS BUT I AM GOING TO MENTION THIS  
8 TO BOTH COUNSELS. I'LL HOLD ON TO BOTH COUNSELS. I'LL HOLD ON  
9 TO THEM FOR NOW. TO THEM FOR NOW.  
10 MV? CAN WE START? MV? CAN WE START?  
11 FV BUT ACTUALLY YOU HAVE A BRIEF FV BUT ACTUALLY YOU HAVE A BRIEF  
12 CASE AND I CAN LEAVE THEM WITH CASE AND I CAN LEAVE THEM WITH  
13 YOU. YOU.  
14 MV? YES MAAM. YOU CAN, AND I CAN MV? YES MAAM. YOU CAN, AND I CAN  
15 HOLD ON TO THEM. I HAVE NO HOLD ON TO THEM. I HAVE NO  
16 PROBLEM. PROBLEM.  
17 FV ACTUALLY I WILL COORDINATE FV ACTUALLY I WILL COORDINATE  
18 THIS WITH BOTH COUNSELS THIS WITH BOTH COUNSELS BEFORE  
19 BEFORE WE LEAVE [UN] ... ARE WE WE LEAVE [UN] ... ARE WE READY  
20 READY TO GO BACK ON RECOFD TO GO BACK ON RECOFD  
21 GENTELMEN? GENTELMEN?  
22 MV1 YES MAAM. MV1 YES MAAM.  
23 FV WE ARE BACK ON THE RECORD AND FV WE ARE BACK ON THE RECORD AND  
24 SAFAA YUNIS SALIM NASIF, I SAFAA YUNIS SALIM NASIF, I  
25 REMIND YOU THAT YOUR ARE REMIND YOU THAT YOUR ARE  
26 STILL UNDE OATH. ... COUNSEL STILL UNDE OATH. ... COUNSEL YOU  
27 YOU MAY CONTINUE. MAY CONTINUE.  
28 MV1 YES MAAM. SAFAA BEFORE WE MV1 YES MAAM. SAFAA BEFORE WE

1 BROKE UP WE WERE TALKING  
2 ABOUT WHEN YOU WOKE UP AFTER  
3 THE SECOND TIME.

4 FW  
5 MV1 AND WHEN WE WENT THROUGH  
6 EACH MEMBER OF YOUR FAMILY  
7 AND WHERE YOU SAW THEM AFTER  
8 YOU WOKE UP

9 FW  
10 FV BUT ... EXCUSE ME PLEASE MAKE  
11 SURE THAT SHE GIVES A LOUD  
12 AUDIBLE RESPONSE.

13 MV1 NOW WHEN WE WENT INTO GREAT  
14 DETAILS WHEN YOU SAW YOUR  
15 SISTER NOOR AND THE STATE YOU  
16 SAW YOUR SISTER NOOR IN.

17 FW  
18 MV1 I WANT TO GO INTO LITTLE MORE  
19 DETAILS ABOUT THE OTHER  
20 MEMBERS OF YOUR FAMILY. O.K.?

21 FW OK

22 MV1 I WANT TO START WITH YOUR  
23 MOTHER. WHEN YOU WOKE UP  
24 FROM YOUR SECOND FAINT, CAN  
25 YOU TELL US ONCE MORE WHERE  
26 YOUR MOTHER WAS?

27 FW  
28 MV1 WHAT WAS SHE DOING ON THE

BROKE UP WE WERE TALKING  
ABOUT WHEN YOU WOKE UP AFTER  
THE SECOND TIME.

FW **Yes.**  
MV1 AND WHEN WE WENT THROUGH  
EACH MEMBER OF YOUR FAMILY  
AND WHERE YOU SAW THEM AFTER  
YOU WOKE UP

FW **Yes.**  
FV BUT ... EXCUSE ME PLEASE MAKE  
SURE THAT SHE GIVES A LOUD  
AUDIBLE RESPONSE.

MV1 NOW WHEN WE WENT INTO GREAT  
DETAILS WHEN YOU SAW YOUR  
SISTER NOOR AND THE STATE YOU  
SAW YOUR SISTER NOOR IN.

FW **Yes.**  
MV1 I WANT TO GO INTO LITTLE MORE  
DETAILS ABOUT THE OTHER  
MEMBERS OF YOUR FAMILY. O.K.?

FW **OK.**

MV1 I WANT TO START WITH YOUR  
MOTHER. WHEN YOU WOKE UP  
FROM YOUR SECOND FAINT, CAN  
YOU TELL US ONCE MORE WHERE  
YOUR MOTHER WAS?

FW **On the bed.**  
MV1 WHAT WAS SHE DOING ON THE

1 BED?  
2 FW  
3 MV1 AND HOW DID YOU KNOW SHE WAS  
4 DEAD?  
5 FW  
6  
7 MV1 DID YOU ... YOU CHECK IF SHE WAS  
8 NOT BREATHING?  
9 FW  
10 MV1 O.K. .. NOW YOU ALSO SAID YOU  
11 SAW YOUR SISTER ZENAIB ON THE  
12 BED.  
13 FW  
14 MV1 WHAT WAS SHE DOING ON THE  
15 BED?  
16 FW  
17 MV1 HOW DO YOU KNOW SHE WAS  
18 DEAD?  
19 FW  
20  
21 MV1 O.K. ... DO YOU REMEMBER  
22 ANYTHING SPECIFIC HOW SHE  
23 LOOKED?  
24 FW  
25  
26  
27  
28

BED?  
FW **Dead.**  
MV1 AND HOW DID YOU KNOW SHE WAS  
DEAD?  
FW **What do you mean? I knew she was  
dead.**  
MV1 DID YOU ... YOU CHECK IF SHE WAS  
NOT BREATHING?  
FW **Breathing? No.**  
MV1 O.K. .. NOW YOU ALSO SAID YOU  
SAW YOUR SISTER ZENAIB ON THE  
BED.  
FW **On the bed.**  
MV1 WHAT WAS SHE DOING ON THE  
BED?  
FW **She was dead**  
MV1 HOW DO YOU KNOW SHE WAS  
DEAD?  
FW **From what I saw and the way she  
looked.**  
MV1 O.K. ... DO YOU REMEMBER  
ANYTHING SPECIFIC HOW SHE  
LOOKED?  
FW **I saw his hand ... It was like this ... It  
was hit and all the nerves were visible  
and I saw her head. I saw his hand had  
been hit and there was blood flowing and  
his head was twisted.**

1  
2  
3 MV1 I AM TALKING ABOUT YOUR SISTER  
4 ZENAIB.  
5 FV SHE IS REFERING TO A MALE IN HER  
6 ANSWER COUNSEL. WHAT IS HE  
7 SAYING THE INTERPRETER?  
8 MV1 I WANT TO KNOW ABOUT YOUR  
9 SISTER ZENAIB.  
10 FW  
11 MV1 O.K. ... O.K... HOW DID YOU KNOW  
12 SHE WAS DEAD?  
13 FW  
14  
15 MV1 O.K. HOW ABOUT YOUR SISTER  
16 SABAA?  
17 FW  
18  
19 MV1 AND YOUR SISTER AISHA?  
20 FW  
21 MV1 AND WHAT WAS SHE DOING?  
22 FW  
23  
24 MV1 WHERE WAS SHE?  
25 FW  
26 MV1 WHAT ABOUT YOUR BROTHER  
27 MUHAMMAD?  
28 FW

*[The witness refers both to a male and a  
female in her answer]*  
MV1 I AM TALKING ABOUT YOUR SISTER  
ZENAIB.  
FV SHE IS REFERING TO A MALE IN HER  
ANSWER COUNSEL. WHAT IS HE  
SAYING THE INTERPRETER?  
MV1 I WANT TO KNOW ABOUT YOUR  
SISTER ZENAIB.  
FW **Yes.**  
MV1 O.K. ... O.K... HOW DID YOU KNOW  
SHE WAS DEAD?  
FW **She was hit in the hand. I saw her hand  
and saw her head all ...**  
MV1 O.K. HOW ABOUT YOUR SISTER  
SABAA?  
FW **She was also on the bed and she had bled  
and also from the way she looked.**  
MV1 AND YOUR SISTER AISHA?  
FW **I also saw her.**  
MV1 AND WHAT WAS SHE DOING?  
FW **She had been hit in her leg and I saw  
blood and the way she appeared to me.**  
MV1 WHERE WAS SHE?  
FW **On the bed.**  
MV1 WHAT ABOUT YOUR BROTHER  
MUHAMMAD?  
FW **On the bed.**

1 MV1 O.K. ... YOU SAID EARLIER THAT  
2 YOU HAD TALKED TO HIM AFTER  
3 YOUR FIRST FAINT AND WHAT  
4 HAPPENED AFTER THE SECOND  
5 TIME YOU FAINTED?

6 FW

8 MV1 DID YOU CHECK?

9 FW

10 MV1 WHAT ABOUT YOUR AUNT HUDA?  
11 WHERE WAS SHE?

12 FV UMM. THE AUDIO IS HAVING A  
13 PROBLEM PICKIN UP THE SOUND. SO  
14 PLEASE TRY TO SPEAK LOUDER.

15 MV? WE WILL NEED TO KEEP THEM  
16 QUIET IF YOU WANT?

17 FV PLEASE CLOSE THE DOOR.

18 MV1 JUST ONE SECOND ... O.K. YOUR  
19 AUNT HUDA WHERE WAS SHE?

20 FW

21 MV1 AND WHAT WAS DOING?

22 FW

23

24

25

26

27

28

MV1 O.K. ... YOU SAID EARLIER THAT  
YOU HAD TALKED TO HIM AFTER  
YOUR FIRST FAINT AND WHAT  
HAPPENED AFTER THE SECOND  
TIME YOU FAINTED?

FW **He was on the bed and I did not know if  
he was dead or not.**

MV1 DID YOU CHECK?

FW **No.**

MV! WHAT ABOUT YOUR AUNT HUDA?  
WHERE WAS SHE?

FV UMM. THE AUDIO IS HAVING A  
PROBLEM PICKIN UP THE SOUND. SO  
PLEASE TRY TO SPEAK LOUDER.

MV? WE WILL NEED TO KEEP THEM  
QUIET IF YOU WANT?

FV PLEASE CLOSE THE DOOR.

MV1 JUST ONE SECOND ... YOU'RE YOUR  
AUNT HUDA WHERE WAS SHE?

FW **On the floor.**

MV1 AND WHAT WAS DOING?

FW **She was wearing an "Abaya"**  
*[A traditional black colored cloak worn by  
Iraqi women, as an outer covering  
garment, especially in the country side  
and villages etc]*

**... I saw blood flowing. That is to say she  
was half-sitting not stretched out.**

1	FV	SAY EXACTLY WHAT SHE SAID ...	FV	SAY EXACTLY WHAT SHE SAID ...
2		WHAT DID YOU JUST ASK HER? IN		WHAT DID YOU JUST ASK HER? IN
3		ENGLISH.		ENGLISH.
4	FW		FW	<b>Like she was hunched over, not</b>
5				<b>stretched out.</b>
6	MV1	WHEN YOU WHAT?	MV1	WHEN YOU WHAT?
7	FV	WOULD YOU REPEAT THAT? ... BOW	FV	WOULD YOU REPEAT THAT? ... BOW
8		DOWN?		DOWN?
9		<i>[Interpreter pronounced the word "bow"</i>		
10		<i>as in "bow and arrow"]</i>		
11	MV1	BOW DOWN... DID YOU CHECK TO	MV1	BOW DOWN... DID YOU CHECK TO
12		SEE IF SHE WAS ALIVE?		SEE IF SHE WAS ALIVE?
13	FW		FW	<b>No.</b>
14	MV1	WHAT DID YOU DO AFTER YOU SAW	MV1	WHAT DID YOU DO AFTER YOU SAW
15		YOUR FAMILY?		YOUR FAMILY?
16	FW		FW	<b>I went out of the house and went to my</b>
17				<b>uncle's; which was next to ours.</b>
18	MV1	ASIDE OF YOUR FAMILY IN THAT	MV1	ASIDE OF YOUR FAMILY IN THAT
19		BEDROOM, WAS THERE ANYONE		BEDROOM, WAS THERE ANYONE
20		ELSE IN THE BEDROOM?		ELSE IN THE BEDROOM?
21	FW	<i>[Witness shakes her head indicating a</i>	FW	<i>[Witness shakes her head indicating a</i>
22		<i>negative response]</i>		<i>negative response]</i>
23	MV1	AT ANYTIME DURING THE DAY	MV1	AT ANYTIME DURING THE DAY
24		WHILE YOUR WERE IN THE HOUSE		WHILE YOUR WERE IN THE HOUSE
25		WAS THERE ANYONE IN THE HOUSE		WAS THERE ANYONE IN THE HOUSE
26		BESIDES THE PEOPLE YOU		BESIDES THE PEOPLE YOU
27		MENTIONED?		MENTIONED?
28	FW		FW	<b>You mean when I came-to, the second</b>

1 **time? When I came-to the second time I**  
2 **remained where I was I was scared**  
3 **when I heard firing coming from**  
4 **outside so I stayed in my place ... I do**  
5 **not know, he entered, as far as I can**  
6 **make out, American troops entered the**  
7 **house a second time and, I do not know,**  
8 **several persons entered and said "OH!**  
9 **They are dead" and then they left.**

10 MV1 AND OTHER THAN YOUR BROTHER  
11 MUHAMMAD AND YOUR FATHER,  
12 WAS THERE ANY OTHER MALES IN  
13 THE HOUSE THAT DAY?

14 FW *[Witness shakes her head in a negative*  
15 *gesture. Does not give audible response]*

16 MV1 AND OTHER THAN THE AMERICANS  
17 WITH WEAPONS IN THE HOUSE,  
18 WERE THERE ANY OTHER WEAPONS  
19 IN THE HOUSE?

20 FW

21 MV1 YES.

22 FW *[Witness shakes her head in a negative gesture.*  
23 *Does not give audible response]*

24 Mv2 JUST WANT TO ASK FOR WHAT  
25 PURPOSE FOR SHOWING THE  
26 WITNESS THE PHOTO?

27 MV1 FOR IDENTIFICATION.

28 MV2 FOR IDENTIFICATION?

MV1 AND OTHER THAN YOUR BROTHER  
MUHAMMAD AND YOUR FATHER,  
WAS THERE ANY OTHER MALES IN  
THE HOUSE THAT DAY?

FW *[Witness shakes her head in a negative*  
*gesture. Does not give audible response]*

MV1 AND OTHER THAN THE AMERICANS  
WITH WEAPONS IN THE HOUSE,  
WERE THERE ANY OTHER WEAPONS  
IN THE HOUSE?

FW **In our house?**

MV1 YES.

FW *[Witness shakes her head in a negative gesture.*  
*Does not give audible response]*

MV2 JUST WANT TO ASK FOR WHAT  
PURPOSE FOR SHOWING THE  
WITNESS THE PHOTO?

MV1 FOR IDENTIFICATION.

MV2 FOR IDENTIFICATION?

1	MV1	FOR IDENTIFICATON, SIR!	MV1	FOR IDENTIFICATON, SIR!
2	MV2	I ... SHE ALREADY IDENTIFIED BY	MV2	I ... SHE ALREADY IDENTIFIED BY
3		NAMES WHO ARE IN THE ROOM.		NAMES WHO ARE IN THE ROOM.
4	MV1	I STILL NEED HER TO IDENTIFY ...	MV1	I STILL NEED HER TO IDENTIFY ...
5	MV2	O.K. ... I OBJECT. GO AHEAD.	MV2	O.K. ... I OBJECT. GO AHEAD.
6	MV1	MAY I PROCEED?	MV1	MAY I PROCEED?
7	FV	PROCEED.	FV	PROCEED.
8	MV2	JUST MAKE SURE THAT TO NOTE	MV2	JUST MAKE SURE THAT TO NOTE
9		THAT WE ARE OBJECTING TO		THAT WE ARE OBJECTING TO
10		SHOWING THE PHOTO.		SHOWING THE PHOTO.
11	FV	YOUR OBJECTION IS NOTED	FV	YOUR OBJECTION IS NOTED
12	MV?	ON WHAT BASIS SIR?	MV?	ON WHAT BASIS SIR?
13	MV2	SHE CAME WITH IT. THE PROFER	MV2	SHE CAME WITH IT. THE PROFER
14		THE GOVERNMENT WAS THAT THE		THE GOVERNMENT WAS THAT THE
15		GOVERNMENT TO TRY TO HAVE		GOVERNMENT TO TRY TO HAVE
16		THE WITNESS TO ID THE PEOPLE		THE WITNESS TO ID THE PEOPLE
17		PRESUMABLY THAT WERE IN THE		PRESUMABLY THAT WERE IN THE
18		HOUSE WHEN SHE HAS ALREADY		HOUSE WHEN SHE HAS ALREADY
19		IDENTIFIED THEM BY NAME.		IDENTIFIED THEM BY NAME.
20	FV	DID YOU GET THAT [UN]	FV	DID YOU GET THAT [UN]
21	MV1	SAFAA I NEED TO SHOW YOU SOME	MV1	SAFAA I NEED TO SHOW YOU SOME
22		PHOTOS. O.K.? THE PHOTOS ARE		PHOTOS. O.K.? THE PHOTOS ARE
23		GRUESOME. O.K.? ... SAFAA I WANT		GRUESOME. O.K.? ... SAFAA I WANT
24		TO HAND YOU WHAT HAS BEEN		TO HAND YOU WHAT HAS BEEN
25		MARKED AS PHOTO 00088 AND I		MARKED AS PHOTO 00088 AND I
26		WANT IT MARKED AS DEPOSITION		WANT IT MARKED AS DEPOSITION
27		EXHIBIT 2 WHICH IS NEXT IN LINE.		EXHIBIT 2 WHICH IS NEXT IN LINE.
28		... SAFAA DOES THIS PICTURE LOOK		... SAFAA DOES THIS PICTURE LOOK

1 FAMILIAR TO YOU? FAMILIAR TO YOU?

2 FW **Yes.**

3 MV1 AND DO YOU KNOW WHAT IS MV1 AND DO YOU KNOW WHAT IS

4 DEPICTED IN THE PHOTO? ... DO DEPICTED IN THE PHOTO? ... DO

5 YOU KNOW WHAT IS DEPICTED IN YOU KNOW WHAT IS DEPICTED IN

6 THE PHOTO? DO YOU KNOW WHAT THE PHOTO? DO YOU KNOW WHAT

7 IS IN THE PHOTO? IS IN THE PHOTO?

8 FW **I was not paying attention to the figure**

9 **but this is my maternal aunt.**

10 MV1 O.K. ... I WILL TAKE THAT FROM MV1 O.K. ... I WILL TAKE THAT FROM

11 YOU. NEXT PHOTO I WILL SHOW IS YOU. NEXT PHOTO I WILL SHOW IS

12 NO. 00089 AND MARK IT AS NO. 00089 AND MARK IT AS

13 DEPOSITION EXIHBIT NO. 3 ... DEPOSITION EXIHBIT NO. 3 ...

14 SAFAA DO YOU RECOGNIZE THE SAFAA DO YOU RECOGNIZE THE

15 CONTENTS OF THIS PHOTO? CONTENTS OF THIS PHOTO?

16 FW **Yes.**

17 MV1 CAN YOU TELL US WHAT THAT MV1 CAN YOU TELL US WHAT THAT

18 PHOTO SHOWS? PHOTO SHOWS?

19 FW **My mother.**

20 MV1 WHAT ELSE DOES THAT PHOTO MV1 WHAT ELSE DOES THAT PHOTO

21 SHOW? SHOW?

22 FW **It is not clear.**

23 MV1 O.K. ... YOUR MUM THE ADULT MV1 O.K. ... YOUR MUM THE ADULT

24 WOMAN THAT IS LYING ON THE BED WOMAN THAT IS LYING ON THE BED

25 THEN? THEN?

26 MV1 CAN YOU HOLD THE PICTURE UP MV1 CAN YOU HOLD THE PICTURE UP

27 FOR ME? FOR ME?

28 FW **Like this?**

1 MV1 AND POINT TO YOUR MOTHER FOR  
2 ME.  
3 *[Witness points to a spot on the photograph*  
4 *with her finger]*

5 MV2 I AM GOING TO OBJECT TO THIS.  
6 THE QUESTION OF THE  
7 ADMISSABILITY OF THE PHOTOS IS  
8 BEING LITGATED IN [UN]. PUTTING  
9 IT ON CAMERA NOW IN DEPOSITION.  
10 I DO NOT SEE THE PURPOSE OF  
11 SHOWING THIS ON CAMERA?

12 MV? EXCUSE ME EVERYBODY ... THE  
13 [UN] HAS TO CHANGE TAPES.

14 MV1 O.K.  
15 *[End of recording of DVD 4]*  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

MV1 AND POINT TO YOUR MOTHER FOR  
ME.  
*[Witness points to a spot on the photograph*  
*with her finger]*

MV2 I AM GOING TO OBJECT TO THIS.  
THE QUESTION OF THE  
ADMISSABILITY OF THE PHOTOS IS  
BEING LITGATED IN [UN]. PUTTING  
IT ON CAMERA NOW IN DEPOSITION.  
I DO NOT SEE THE PURPOSE OF  
SHOWING THIS ON CAMERA?

MV? EXCUSE ME EVERYBODY ... THE  
[UN] HAS TO CHANGE TAPES.

MV1 O.K.  
*[End of recording of DVD 4]*

**Deposition DVD – Transcription**  
**by Hisham Malek, completed Dec 2010 of:**

**Safaa Yunis Salim Rasif (*Nasif*)**

**(3 of 3)**

**DVD- TRANSCRIPTION**

**DVD- TRANSLATION**

**Safaa Yunis Salim Rasif [Nasif] (DVD #3)**

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MV1 HANDING YOU PHOTO NO 00093 AND  
I LIKE IT MARKED AS DEPOSITION  
EXHIBIT NO.4.

FV YOU MAY PROCEED.

MV1 SAFAA DO YOU RECOGNIZE  
ANYBODY IN THE PHOTO?

MV1 O.K. TAKE THIS PHOTO ... I AM  
HANDING THE WITNESS PHOTO 00087  
AND HAVE IT MARKED AS  
DEPOSITION EXHIBIT NO. 5 ...NOW.

FV CORRECT.

MV1 DO YOU RECOGNIZE THE PERSON IN  
THAT PHOTO NOW?

MV1 YOU? ... IS IT YOUR MOTHER?

FV I NOTICED THAT WHEN YOU ASKED  
HER IF SHE RECOGNIZED, IT WAS  
NOT TRANSLATED AND SHE  
IMMEDIATELY ANSWERED. IS THAT  
ACCEPTABLE TO YOU?

MV1 FINE... O.K.... SAFAA DO YOU KNOW  
ENGLISH?

MV? EXCUSE ME SIR. CAN WE GO OFF THE  
RECORD?

MV1 HANDING YOU PHOTO NO 00093 AND  
I LIKE IT MARKED AS DEPOSITION  
EXHIBIT NO.4.

FV YOU MAY PROCEED.

FW **That is my sister Sabaa.**

FV O.K. TAKE THIS PHOTO ... I AM  
HANDING THE WITNESS PHOTO  
00087 AND HAVE IT MARKED AS  
DEPOSITION EXHIBIT NO. 5 ...NOW.

FW CORRECT.

FW **My family.**  
*[local interpreter interpreted as "My  
Mother"]*

FW **No that is my father.**

FV I NOTICED THAT WHEN YOU ASKED  
HER IF SHE RECOGNIZED, IT WAS  
NOT TRANSLATED AND SHE  
IMMEDIATELY ANSWERED. IS THAT  
ACCEPTABLE TO YOU?

FW **No.**

FV EXCUSE ME SIR. CAN WE GO OFF  
THE RECORD?

1	MV1	YEAH ...ASK THE COLONEL.	MV1	YEAH ...ASK THE COLONEL.
2	MV?	I AM ASKING FOR A RECESS FOR FEW	MV?	I AM ASKING FOR A RECESS FOR
3		MINUTES.		FEW MINUTES.
4	FV	WE WILL TAKE JUST A BRIEF IF YOU		WE WILL TAKE JUST A BRIEF IF YOU
5		HAVE ANY ANNOUNCEMENT?		HAVE ANY ANNOUNCEMENT?
6	MV?	I AM SORRY TO INTERRUPT JUST ....	MV?	I AM SORRY TO INTERRUPT JUST
7	FV	WE ARE BACK ON THE RECORD ...I	FW	<b>O.K.</b>
8		WANT YOU TO REMIND SAFAA YOU		
9		ARE STILL UNDER OATH.		
10	MV1	I AM READY TO ASK HER.	MV1	I AM READY TO ASK HER.
11	FV	COUNSEL I WANT TO CONFIRM THAT	FV	COUNSEL I WANT TO CONFIRM
12		[UN] IS THE CORRECT EXHIBIT.		THAT [UN] IS THE CORRECT
13				EXHIBIT.
14	MV1	YEA THAT IS FINE.	MV1	YEA THAT IS FINE.
15	MV2	CAN WE TAKE A SHORT RECESS?	MV2	CAN WE TAKE A SHORT RECESS?
16	FV	SURE ... I REMIND YOU, YOU ARE	FW	<i>[Witness nod her head in assent]</i>
17		STILL UNDER OATH SAFAA.		
18	FV	COUNSEL YOU MAY PROCEED.	FV	COUNSEL YOU MAY PROCEED.
19	MV1	I PASS [UN]	MV1	I PASS [UN]
20	FV	DOES THE COUNSEL FOR THE	FV	DOES THE COUNSEL FOR THE
21		DEFENSE HAVE ANY QUESTIONS?		DEFENSE HAVE ANY QUESTIONS?
22	MV2	YES MAAM.	MV2	YES MAAM.
23	FV	THANK YOU.	FV	THANK YOU.
24	MV2	MY NAME IS COLONEL VOLKEY.	FW	<b>Yes.</b>
25		SAFAA.		
26	MV2	THANK YOU FOR COMING. IT IS	FW	<b>No.</b>
27		VERY BRAVE TO COME ... DO YOU		
28		FEEL YOU ARE IN DANGER FOR		

1	COMING IN TO TESTIFY? A LITTLE		
2	SCARED?		
3	MV2 DID YOU KNOW THERE WERE LIVE	FW	<b>You mean planted?</b>
4	IED IN THAT ROAD?		
5	MV2 YES	FW	<b>No.</b>
6	MV2 HAVE EVER HEARD OF OTHER IEDS	FW	<b>No.</b>
7	IN YOUR NEIGHBORHOOD?		
8	MV2 TELL ME ABOUT THE INSURGENTS	FW	<b>I do not know anything.</b>
9	OR THE MUJAHIDEEN THAT WERE IN		
10	THE AREA AT THAT TIME?		
11	MV2 HAVE YOU HEARD ANYONE	FW	<b>No.</b>
12	TALKING OF MUJAHIDEEN IN THAT		
13	AREA?		
14	MV2 HAS THERE BEEN FIGHTING NEAR	FW	<b>I do not remember.</b>
15	YOUR HOUSE BEFORE THAT TIME?		
16	MV2 WHAT WAS THE LAST REPLY? I AM	INT	I DO NOT REMEMBER.
17	SORRY		
18	MV2 WHO WAS YOUR NEIGHBOR?	FW	<b>My uncle Yassin's house and Abdul</b>
19			<b>Majiid's house ...These were the ones.</b>
20	MV2 O.K.... AND YOU LIVED IN THAT	FW	<b>No.</b>
21	HOUSE THE WHOLE TIME?		
22	MV2 WHERE DID YOU LIVE BEFORE?	FW	<b>We were living in the house where my</b>
23			<b>uncle now lives.</b>
24	MV2 O.K....HAVE YOU EVER LEFT	FW	<b>Outside Haditha? No.</b>
25	HADITHA?		
26	MV2 YOU DO NOT FEEL...FEEL IN	FW	<b>I get distressed when I look at the</b>
27	DANGER HERE, DO YOU?		<b>photos.</b>
28	MV2 CAN YOU ANSWER SOME QUESTIONS	FW	<b>[Witness is crying softly]</b>

1	OR DO YOU WANT TO TAKE		
2	ANOTHER BREAK?		
3	FV GIVE HER SOME TISSUES.	FV	GIVE HER SOME TISSUES.
4	MV2 DO YOU LIKE TO TAKE A BREAK?	FW	<b>No.</b>
5	MV2 O.K.... YOU SAID THAT YOU	FW	<b>[Inaudible]</b>
6	2 RECOGNIZED AMERICANS BECAUSE		
7	THEY SEARCHED YOUR HOUSE		
8	BEFORE?		
9	FV SAY IT LOUDER	FW	<b>Yes.</b>
10	MV2 TELL ME ABOUT THAT, WHAT	FW	<b>When?</b>
11	HAPPENED?		
12	MV2 WHEN DID THE AMERICANS SEARCH	FW	<b>It was normal type of search.</b>
13	YOUR HOUSE BEFORE THIS DAY?		
14	MV2 AND WHY DID THEY SEARCH YOUR	FW	<b>I do not know. There was a general</b>
15	HOUSE?		<b>search in the area and they searched our</b>
16			<b>house.</b>
17	MV2 AND DID THEY TAKE ANYTHING	FW	<b>No.</b>
18	FROM YOUR HOUSE?		
19	MV2 DID YOU KNOW THE IED WAS DOWN	FW	<b>No.</b>
20	IN THE STREET BEFORE IT		
21	EXPLODED?		
22	MV2 THERE HAS BEEN A LOT OF	FW	<b>At what time? ... That is to say when?</b>
23	FIGHTING. NO?		
24	MV2 BEFORE YOUR FAMILY WAS KILLED.	FW	<b>I truly do not know.</b>
25	MV2 YOU DO NOT KNOW OF ANY	FW	<b>No. I was small.</b>
26	FIGHTING?		
27	MV2 HOW OLD ARE YOU NOW?	FW	<b>Fifteen.</b>
28	MV2 AND YOU WERE 13 WHEN YOUR	FW	<b>I do not know. But I was in third grade</b>

1	FAMILY WAS KILLED?		<b>...First grade of junior school.</b>
2	MV2 THE MARINE THAT CAME IN YOUR	FW	<b>I do not recall how he was.</b>
3	ROOM...UHH...HE WAS WHITE,		
4	RIGHT?		
5	MV2 AND HE WAS SHORTER THAN YOU	FW	<b>I do not recall.</b>
6	WERE? RIGHT?		
7	MV2 SAFAA DO YOU KNOW HOW TALL	FW	<b>64.</b>
8	YOU ARE ?		
9	MV2 64 INCHES TALL?	FW	<b>Yes.</b>
10	MV2 BEFORE WE STARTED TODAY WE	FW	<b>Yes.</b>
11	ACTUALLY MEASURED YOU, RIGHT?		
12	MV2 AND THE... IT WAS THIS WOMAN	FW	<b>Yes.</b>
13	THAT MEASURED YOU. SERGEANT		
14	TRUJO [?]		
15	MV2 AND YOU SPOKE WITH HER FOR FEW	FW	<b>Yes.</b>
16	MINUTES?		
17	MV2 AND DID YOU TELL HER THAT YOU	FW	<b>I did not say that to her ...But I am not</b>
18	SAW A MARINE OF A SHORTER OR		<b>sure.</b>
19	SAME SIZE AS YOU THAT ENTERED		
20	YOUR ROOM?		
21	MV2 YOU ARE NOT SURE NOW?	FW	<b>Now and when I told her.</b>
22	MV2 YOU ONLY SAW ONE MARINE ENTER	FW	<b>That is what I saw but I do not know if</b>
23	YOUR ROOM?		<b>there were others.</b>
24	MV2 I KNOW YOU ARE 2 YEARS OLDER	FW	<b>Yes.</b>
25	THAN WHEN THIS HAPPENED.		
26	RIGHT?		
27	MV2 AND YOU HAVE GROWN UP IN THESE	FW	<b>Yes.</b>
28	2 YEARS?		

1	MV2	YOU BECAME TALLER?	FW	<b>Yes.</b>
2	MV2	NOW ... I WANT TO ASK YOU ABOUT	FW	<b>No.</b>
3		AN INTERVIEW YOU GAVE IN THIS		
4		INVESTIGATION IN MARCH 2006.		
5		...THERE WAS AN AMERICAN		
6		INVESTIGATOR. HIS NAME IS BRIAN		
7		BIRMINGHAM AND HE ASKED YOU A		
8		LOT OF QUESTIONS ABOUT WHAT		
9		HAPPENED TO YOU. AND IN THAT		
10		INTERVIEW YOU TOLD HIM IT WAS A		
11		WHITE GUY AND THAT HE WAS A		
12		LITTLE SHORTER THAN ME		
13	MV2	YOU DID NOT SAY THAT?	FW	<b>No.</b>
14	MV2	YOU ARE SURE?	FW	<b>Yes.</b>
15	MV2	DID YOU KNOW HOW MANY	FW	<b>I do not know.</b>
16		MARINES WERE IN YOUR HOUSE?		
17	MV2	DID YOU SEE ...DID YOU ACTUALLY	FW	<b>No.</b>
18		SEE ANY OTHER MARINES OTHER		
19		THAN THE ONE THAT CAME INTO		
20		YOUR ROOM?		
21	MB2	NO? ...WHEN HUDA WAS SHOT	FW	<b>In the room.</b>
22		WHERE WERE YOU AT THAT TIME?		
23	MV2	WERE YOU IN THE DOORWAY	FW	<b>No.</b>
24		LOOKING OUT? WERE YOU		
25		STANDING IN THE ROOM SO YOU		
26		COULD LOOK DOWN THE HALL		
27		WAY?		
28	MV2	WHEN WAS IT THE FIRST TIME YOU	FW	<b>What?</b>

1	SAW THE MARINE WHO CAME INTO		
2	YOUR ROOM?		
3	MV2 WHERE WERE YOU WHEN YOU FIRST	FW	<b>In the room.</b>
4	SAW THE MARINE ENTERING THE		
5	ROOM?		
6	MV2 WHERE IN THE ROOM?	FW	<b>You mean when he entered and tossed</b>
7			<b>the hand-grenade or when he was</b>
8			<b>shooting?</b>
9	MV2 THE FIRST TIME YOU SAW A MARINE	FW	<b>When he threw the hand-grenade.</b>
10	COME INTO YOUR ROOM?		
11	MV2 AND DID YOU SEE THAT MARINE	FW	<b>Yes.</b>
12	WHEN HE THREW IT?		
13	MV2 AND IS THAT THE SAME MARINE	FW	<b>I do not know. I did not know his height.</b>
14	WHO WAS SHORTER THAN YOU?		
15	MV2 IS THAT THE SAME MARINE WHO	FW	<b>I did not pay attention to what he looked</b>
16	WAS SHOOTING IN THE ROOM?		<b>like.</b>
17	MV2 WHEN YOU TALKED TO THIS	FW	<b>What do you mean towards the door?</b>
18	INVESTIGATOR IN MARCH 2006, YOU		
19	TOLD HIM THAT YOU SAW THAT		
20	MARINE APPROACHING THE DOOR		
21	WAY, DID YOU?		
22	MV2 O.K.... I AM GOING TO READ YOU THE	FW	<b>Yes.</b>
23	TRANSCRIPT FROM THE INTERVIEW.		
24	THIS IS THE SAME INTERVIEW WHEN		
25	KHALID WAS PRESENT.		
26	MV2 AND YOU SAID "I WAS STANDING	FW	<b>From under the bed ...The room door?</b>
27	BY... BY THE ... AT THE EDGE OF THE		
28	BED WITH THE WALL BEHIND ME ...I		

1 COULD SEE THE FRONT DOOR .... THE  
2 DOOR OF MY MUM'S BE ..."

3 MV2 NO. TELL HER TO HOLD ON UNTIL I FW  
4 FINISH READING ALL THIS..."...THE **Sentence by sentence ...Is it possible to**  
5 DOOR OF MY MUM'S ROOM WAS **have it sentence by sentence?**  
6 OPEN IT IS NOT DIRECTLY IN FRONT  
7 OF ME, BUT SLIGHTLY TO MY RIGHT,  
8 BUT I COULD SEE THE CORRIDOR AT  
9 LEAST TO THE KITCHEN. THE DOOR  
10 WAS OPEN, AND I SAW THE MARINE  
11 APPROACHING. AS HE STARTED  
12 APPROACHING HE STARTED  
13 SHOOTING. HE STARTED FIRING." IS  
14 THAT WHAT YOU TOLD THE  
15 INVESTIGATOR?

16 MV2 "I WAS STANDING BY THE BED, AT FW **Me?**  
17 THE EDGE OF THE BED WITH THE  
18 WALL BEHIND ME ..."

19 MV2 THIS IS WHAT YOU TOLD THE FW **I was not standing at the end of the bed.**  
20 INVESTIGATOR.

21 MV2 SO. DID YOU TELL THE FW **I did not tell him I was standing. Only**  
22 INVESTIGATOR THIS? **that I was lying down flat between the**

23  
24 MV2 SO THIS TRANSCRIPT I AM READING FW **I was not standing.**  
25 IS WRONG?

26 MV2 YOU DID NOT TELL THIS FW **No.**  
27 INVESTIGATOR THIS?

28 MV2 AND WHEN HE WAS INTERVIEWING FW **I do not recall.**

1	YOU HE HAD SOMEONE LIKE HIM		
2	TYPING IT OUT. DID HE NOT?		
3	MV2 O.K. ... LET ME ASK YOU MORE	FW	<b>Honestly, I cannot remember.</b>
4	ABOUT THAT INTERVIEW. DID YOU		
5	SAY THAT I SAW THE MARINE		
6	SHOOT MY AUNT?		
7	MV2 IS THAT TRUE?	FW	<b>I do not remember.</b>
8	MV2 DID YOU SAY HE WAS WHITE?	FW	<b>No.</b>
9	MV2 DID YOU SAY THAT HE WAS A	FW	<b>No.</b>
10	LITTLE SHORTER THAN ME?		
11	MV2 YOU DID NOT SAY ANY OF THESE	FW	<b>I told him ... I mean ... He was short but</b>
12	THINGS TO THE INVESTIGATOR?		<b>I could not specify his height.</b>
13	MV2 JUST THAT HE WAS A LITTLE	FW	<b>I did not say he was shorter than me.</b>
14	SHORTER THAN ME?		
15	MV2 AND YOU REMEMBER HAVING THIS	FW	<b>I do not recall.</b>
16	INTERVIEW?		
17	MV2 I AM READING FROM A	FW	<b>No.</b>
18	TRANSCRIPTION THAT WAS TYPED		
19	WHILE YOU WERE TALKING. DO YOU		
20	REMEMBER THAT?		
21	MV2 IT WAS BEING TYPED JUST LIKE IT IS	MV2	IT WAS BEING TYPED JUST LIKE IT
22	NOW.		IS NOW.
23	FV SHE NEED TO GIVE AUDIBLE	FV	SHE NEED TO GIVE AUDIBLE
24	ANSWERS.		ANSWERS.
25	MV2 THIS INTERVIEW WAS IN MARCH 15,	FW	<b>I do not recall.</b>
26	2007.		
27	MV2 AND THE INTERVIEW WAS IN	FW	<b>There were a number of interviews in</b>
28	HADITHA HOSPITAL		<b>Haditha Hospital ...But I do not recall.</b>

1	MV2	AND AT THIS INTERVIEW YOU ALSO	FW	<b>He came with me to some of the</b>
2		HAD MUHAMMAD SALEM RASIF.		<b>interview but I do not remember if he</b>
3				<b>....</b>
4	MV2	AND ALSO YASSIN SALEM RASIF, HE	FW	<b>I do not recall. There was an interview</b>
5		WAS ALSO THERE.		<b>and they both came with me. But I do</b>
6				<b>not recall.</b>
7	MV2	AND DO YOU REMEMBER THAT	FW	<b>I do not recall.</b>
8		SOMEONE WAS TYPING OUT JUST		
9		LIKE HIM?		
10	MV2	WAS IT BEING REPORTED, TAPED OR	FW	<b>I do not recall.</b>
11		FILMED?		
12	MV2	SAFAA... YOU JUST DO NOT	FW	<b>No.</b>
13		REMEMBER WHAT YOU JUST SAID		
14		THAT DAY?		
15	MV2	SO THIS IS WHAT... WHAT I READ IS	FW	<b>No. What I said, I do not remember.</b>
16		WHAT YOU SAID BUT YOU JUST DO		
17		NOT REMEMBER?		
18	MV2	SO IS THIS TRANSCRIPT I AM	FW	<b>Frankly I do not know.</b>
19		READING TO YOU IS A LIE?		
20	MV2	ALL RIGHT. YOU TALKED... YOU	FW	<b>What? ...Yes. That is to say the first</b>
21		SAID YOU PASSED OUT WHEN YOU		<b>time was for a short period</b>
22		WERE IN THAT ROOM, IS THAT		
23		RIGHT?		
24	MV2	AFTER THE SECONE TIME YOU	FW	<b>Yes.</b>
25		PASSED OUT, SOMEONE CAME INTO		
26		THE ROOM AND SAID SOMETHING?		
27	MV2	AND DID YOU SEE THESE PEOPLE?	FW	<b>No.</b>
28	MV2	BUT THEY SAID SOMETHING OUT	FW	<b>Yes.</b>

1	LOUD IN ARABIC?		
2	MV2 WAS IT A MAN'S VOICE?	FW	<b>Yes.</b>
3	MV2 AND WHAT DID HE SAY?	FW	<b>OH! They are dead, He said they are</b>
4			<b>dead?</b>
5	MV2 AND THAT WAS SAID IN ARABIC?	FW	<b>Yes.</b>
6	MV2 SAFAA DID ANYONE ASK YOU IF	FW	<b>On the part of whom?</b>
7	YOU WANT TO COME TO THE		
8	UNITED STATES?		
9	MV2 DID ANYONE ASK YOU IF YOU	FW	<b>No.</b>
10	WANTED TO COME TO THE UNITED		
11	STATES FOR THIS CASE?		
12	MV2 AND DO YOU KNOW KHALID?	FW	<b>Yes</b>
13	MV2 AND HOW DO YOU KNOW HIM?	FW	<b>He is my paternal cousin.</b>
14	MV2 AND YOU KNOW HIM PRETTY WELL?	FW	<b>Yes.</b>
15	MV2 HE IS NICE TO YOU?	FW	<b>Yes.</b>
16	MV2 AND HE IS FAMILY?	FW	<b>Yes.</b>
17	MV2 AND HAD YOU TALKED TO KHALID	FW	<b>When ...At what time?</b>
18	ABOUT WHAT HAPPENED?		
19	MV2 ANYTIME AFTER IT HAPPENED.	FW	<b>No.</b>
20	HAVE YOU TALKED TO HIM A LOT		
21	OF TIMES?		
22	MV2 AND WHAT DOES KHALID DO?	FW	<b>What he does?</b>
23	MV2 I AM SORRY. WHAT IS HIS JOB?	FW	<b>Lawyer.</b>
24	MV2 IS HE AN IMPORTANT MAN?	FW	<b>Yes.</b>
25	MV2 AND KHALID WAS PRESENT WHEN	FW	<b>Yes.</b>
26	YOU GAVE SOME INTERVIEWS,		
27	WASN'T HE?		
28	MV2 DO YOU REMEMBER WHEN YOU	FW	<b>No.</b>

1 WERE ON T.V.?  
2 MV2 DO YOU REMEMBER A REPORTER  
3 COMING AND FILMING YOU WITH  
4 CAMERAS LIKE THESE?  
5 FV COUNSEL ARE YOU GOING TO TAKE  
6 FEW MINUTES OR ARE YOU READY?  
7 MV2 I AM READY.  
8 FV O.K.  
9 MV2 SAFAA, I AM GOING TO SHOW YOU  
10 SOMETHING THAT WAS ON THE T.V...  
11  
12 FV IS IT THE SAME EXHIBIT?  
13 MV2 SAME ... SAME EXHIBIT. WHEN WE  
14 ARE FINALLY DONE WITH IT. I WILL  
15 GIVE THEM THE DISCOVERY. THAT  
16 MAY BE EASIER. ... FOR THE RECORD  
17 I AM SHOWING THE WITNESS THE  
18 CNN DISC OF DISCOVERY THAT WE  
19 ...WE ARE USING IN A COUPLE OF  
20 OTHER ... TWO OF THE DEPOSITIONS  
21 AS WELL. ... SAFAA IS THAT YOU?  
22 *[Male and female voices from the disc are*  
23 *heard, speaking in English, most of it is*  
24 *unintelligible and overlapping ... Could make*  
25 *out: "She said she wanted a tough justice*  
26 *for those who killed her family ... I want*  
27 *them tortured and killed and I want them to*  
28 *leave our country"]*

FW *[Witness pauses for a long time]*  
FV COUNSEL ARE YOU GOING TO TAKE  
FEW MINUTES OR ARE YOU READY?  
MV2 I AM READY.  
FV O.K.  
SAFAA, I AM GOING TO SHOW YOU  
SOMETHING THAT WAS ON THE  
T.V...  
IS IT THE SAME EXHIBIT?  
FW **Yes.**  
*Male and female voices from the disc are*  
*heard, speaking in English most of it is*  
*unintelligible and overlapping ... Could*  
*make out: "She said she wanted a tough*  
*justice for those who killed her family ... I*  
*want them tortured and killed and I want*  
*them to leave our country"]*

1	MV2	WAS THAT YOU TALKING?	FW	<b>I did not hear.</b>
2	MV2	YOU REMEMBER THAT NOW?	FW	<b>I did not see.</b>
3	FV	ASK HIM TO TRANSLATE.	FW	<b>I did not hear.</b>
4	MV2	YOU REMEMBER WHEN YOU GAVE	FW	<b>No.</b>
5		THIS INTERVIEW?		
6	MV2	BUT THAT ... THAT IS YOU?	FW	<b>Yes.</b>
7	MV2	WHERE DID THIS...WHERE DID YOU	FW	<b>I do not remember.</b>
8		DO THIS INTERVIEW?		
9	MV2	AND... AND WHO WAS THERE?	FW	<b>I do not remember the interview.</b>
10	MV2	WHO WAS TALKING TO YOU?	FW	<b>I do not recall.</b>
11	MV2	WAS KHALID PRESENT?	FW	<b>I do not recall.</b>
12	MV2	YOU DO NOT REMEMBER ANYTHING	FW	<b>No.</b>
13		ABOUT THIS?		
14	MV2	BUT YOU DID DO THIS INTERVIEW?	FW	<b>I do not remember.</b>
15	MV2	THAT IS YOU?	FW	<b>The picture is not clear, but from the</b>
16				<b>shape.</b>
17	MV2	O.K... LET ME PLAY IT AGAIN.	MV2	O.K... LET ME PLAY IT AGAIN.
18		<i>[CNN recording is played again]</i>		<i>[CNN recording is played again]</i>
19	MV2	WAS THAT YOU? THAT IS NOT YOU?	FW	<b>It is my picture but I do not recall.</b>
20	MV2	SAFAA ... WHOSE IDEA WAS IT FOR	FW	<b>You mean this one?</b>
21		YOU TO DO THIS INTERVIEW?		
22	MV2	YES	FW	<b>I do not know.</b>
23	MV2	DID SOMEBODY TAKE YOU TO THE	FW	<b>I do not recall... I do not remember.</b>
24		INTERVIEW?		
25	MV2	DID YOU GO FIND THE REPORTER	FW	<b>I do not recall the interview.</b>
26		YOURSELF?		
27	MV2	ARE YOU SAYING THAT... THAT WAS	FW	<b>This is I. I do not recognize my shape</b>
28		NOT YOU?		<b>when I was at that age.</b>

1	MV2	WAS THAT AT YOUR UNCLE'S HOUSE?	FW	<b>I do not recall.</b>
2	MV2	AND DO YOU REMEMBER SAYING	FW	<b>I do not recall.</b>
3		THAT YOU WANTED AMERICANS TO		
4		BE TORTURED AND KILLED?		
5	MV2	AND YOU WANT THE AMERICANS	FW	<b>You mean I had said this?</b>
6		OUT OF YOUR COUNTRY?		
7	MV2	YES. YOU SAID THAT.. .ONCE YOU	FW	<b>I do not recall.</b>
8		WERE ON T.V.		
9	MV2	YOU DO NOT REMEMBER SAYING	FW	<b>No.</b>
10		THAT?		
11	MV2	DID SOMEONE TELL YOU TO SAY	FW	<b>I do not recall ... But no one told me to</b>
12		THAT?		<b>say such a thing.</b>
13	MV2	DID... DID ANYONE TELL YOU WHAT	FW	<b>When?</b>
14		HAPPENED IN YOUR HOUSE?		
15	FW	HAS ANYONE EVER TRIED TO TELL	FW	<b>No.</b>
16		YOU WHAT HAPPENED IN YOUR		
17		HOUSE?		
18	MV2	THOSE ARE ALL THE QUESTIONS I	MV2	THOSE ARE ALL THE QUESTIONS I
19		HAVE.		HAVE.
20	FV	COUNSEL DO YOU HAVE ANY	FV	COUNSEL DO YOU HAVE ANY
21		QUESTIONS?		QUESTIONS?
22	MV3	YES MAAM... JUST A FEW... SAFAA	FW	<b>I remember the shape.</b>
23		DO YOU REMEMBER ME FROM LAST		
24		YEAR IN ANOTHER INTERVIEW?		
25	MV3	YOU STATED EARLIER THAT NO	FW	<b>No.</b>
26		ONE ASKED YOU TO COME TO THE		
27		UNITED STATES.		
28	MV3	DO YOU WANT TO COME TO THE US	FW	<b>I do not know.</b>

1				
2	MV2	AND TESTIFY AT THIS TRIAL? WOULD YOU COME IF YOU WERE	FW	<b>I do not know.</b>
3		ABLE TO?		
4	MV3	WHOM DO WE NEED TO ASK TO SEE	FW	<b>My uncles.</b>
5		IF YOU CAN COME TO THE UNITED		
6		STATES?		
7	MV3	AND WHO ARE YOUR UNCLES?	FW	<b>Muhammad - Saad - Yassin.</b>
8	MV3	CAN YOU DECIDE ON YOUR OWN IF	FW	<b>No. I have to get permission ... No ...</b>
9		YOU COULD COME TO THE UNITED		<b>Who would come with me?</b>
10		STATES?		
11	MV3	IF THEY SAY YES, WOULD YOU	FW	<b>Yes.</b>
12		COME TO THE UNITED STATES?		
13	MV3	YOU REMEMBER THE QUESTION	MV3	YOU REMEMBER THE QUESTION
14		WHEN YOU WERE ASKED ABOUT		WHEN YOU WERE ASKED ABOUT
15		THE IRAQI MALE VOICE THAT YOU		THE IRAQI MALE VOICE THAT YOU
16		HEARD AFTER THE SECOND TIME		HEARD AFTER THE SECOND TIME
17		YOU WOKE UP IN THE ROOM?		YOU WOKE UP IN THE ROOM?
18	MV1	I THINK IT IS MIS-STATING THE	MV1	I THINK IT IS MIS-STATING THE
19		EVIDENCE. I THINK SHE SAID AN		EVIDENCE. I THINK SHE SAID AN
20		AMERICAN WHO SPOKE ARABIC		AMERICAN WHO SPOKE ARABIC
21		[UN]. SHE SAID AMERICAN VOICE.		[UN]. SHE SAID AMERICAN VOICE
22	MV3	DO YOU REMEMBER THE ARABIC	FW	<b>What? When I came to? ... Yes... What I</b>
23		VOICE THE... LET ME REPHRASE IT.		<b>am supposed to remember?</b>
24		YOU REMEMBER THE SECOND TIME		
25		YOU WOKE UP, THE SECOND TIME		
26		YOU FAINTED?		
27	MV3	YOU SAID YOU HEARD A MALE	FW	<b>Yes ... Yes.</b>
28		VOICE. DO YOU REMEMBER THAT?	...	

1	MV3	AND THE MALE VOICE SPOKE	FW	<b>Yes.</b>
2		ARABIC?		
3	MV3	AND DID YOU SEE WHO WAS	FW	<b>No..</b>
4		SPEAKING?		
5	MV3	DID YOU SEE WHO WAS SPEAKING?	FW	<b>No.</b>
6		DID YOU RECOGNIZE THE VOICE?		<b>It was a clear voice. A male voice.</b>
7	MV3	DID YOU KNOW THE PERSON WHO	FW	<b>You mean how he looked and who he</b>
8		SPOKE?		<b>was?</b>
9	MV3	WHO WAS HE?	FW	<b>I did not see his face, but the garb was</b>
10				<b>American.</b>
11	MV3	SAFAA ... THANK YOU VERY MUCH	MV1	SAFAA ... THANK YOU VERY MUCH
12		AND I AM SORRY FOR YOUR LOSS.		AND I AM SORRY FOR YOUR LOSS.
13	FV	ANY OTHER QUESTION BY OTHER	FV	ANY OTHER QUESTION BY OTHER
14		PARTIES?		PARTIES?
15	MV1	NOT FROM THE GOVERNMENT	MV1	NOT FROM THE GOVERNMENT
16		MAAM.		MAAM.
17	FV	IS THE WITNESS SUBJECT TO	FV	IS THE WITNESS SUBJECT TO
18		RECALL?		RECALL?
19	MV1	YES MAAM.		YES MAAM.
20	FV	THIS CONCLUDES THE DEPOSITION.	FW	<b>When? At what time?</b>
21		THANK YOU VERY MUCH SAFAA		
22		YUNIS SALIM RASIF FOR YOUR		
23		TESTIMONY. WE APPRECIATE IT.		
24		AND SHE IS SUBJECT TO RECALL.		
25	MV1	SATURDAY AT 9.	FW	<b>With Mr. Khalid?</b>
26	MV1	THAT IS FINE.	MV1	THAT IS FINE.
27	FV	I AM SORRY WHAT DID YOU SAY?	FV	I AM SORRY WHAT DID YOU SAY?
28	MV1	WE NEED TO CHANGE THE DATES.	MV1	WE NEED TO CHANGE THE DATES.

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**(End of recording)**

**(End of recording)**

**Deposition DVD – Transcription**  
**by Hisham Malek, completed Dec 2010 of:**

**Khalid Salman Rasif [*Nasif*] Yunis**

**(1 of 4)**

**DVD – Transcription**

**DVD - Translation**

**Khalid Salman Rasif [Nasif] Yunis Deposition – DVD 5 (1 of 4)**

FV THIS IS THE DEPOSITION IN CASE OF  
US VS SSGT FRANK D. WUTERICH.  
WE WILL COME TO ORDER AND THE  
TIME IS 12:47, 22 FEBRUARY 2008.  
WILL COUNSELS FOR THE  
PROSECUTION AND DEFENSE  
STIPULATE AS TO THE PREVIOUS  
MATTERS THAT WERE COVERED IN  
THE PREVIOUS DEPOSITION OR DO  
YOU WANT ME TO GO THROUGH  
THIS SCRIPT AGAIN?

MV1 WE WILL GO THROUGH. OK MAAM.  
THE GOVERNMENT STIPULATES.

FV OK.

MV2 THE DEFENSE STIPULATES ALSO  
BUT WANT TO STATE [UN] THAT IT  
SEEMS PRESENT IN PREVIOUS  
DEPOSITIONS [UN] ON ORDER [UN]  
THE ACCUSED IS ALSO PRESENT  
FOR THE DEPOSITIONS TO-DAY.

FV OK. THANK YOU. AHH ... DOES THE  
ACCUSED WAIVE ME GOING  
THROUGH QUESTIONS ABOUT HIS  
RIGHTS AND? ....

MV2 THE ACCUSED WAIVES THE

FV THIS IS THE DEPOSITION IN CASE OF  
US VS SSGT FRANK D. WUTERICH.  
WE WILL COME TO ORDER AND THE  
TIME IS 12:47, 22 FEBRUARY 2008.  
WILL COUNSELS FOR THE  
PROSECUTION AND DEFENSE  
STIPULATE AS TO THE PREVIOUS  
MATTERS THAT WERE COVERED IN  
THE PREVIOUS DEPOSITION OR DO  
YOU WANT ME TO GO THROUGH  
THIS SCRIPT AGAIN?

MV1 WE WILL GO THROUGH. OK MAAM.  
THE GOVERNMENT STIPULATES.

FV OK.

MV2 THE DEFENSE STIPULATES ALSO  
BUT WANT TO STATE [UN] THAT IT  
SEEMS PRESENT IN PREVIOUS  
DEPOSITIONS [UN] ON ORDER [UN]  
THE ACCUSED IS ALSO PRESENT  
FOR THE DEPOSITIONS TO-DAY.

FV OK. THANK YOU. AHH ... DOES THE  
ACCUSED WAIVE ME GOING  
THROUGH QUESTIONS ABOUT HIS  
RIGHTS AND ...

MV2 THE ACCUSED WAIVES THE

1 READING.  
2 MV3 YES MAAM.  
3 FV OK ... THANK YOU VERY MUCH. AHH  
4 ...WILL THE INTERPRETER ... DO YOU  
5 SWEAR THAT IN THE CASE NOW IN  
6 HEARING WILL YOU INTERPRET  
7 TRULY THE TESTIMONY CALLED  
8 UPON TO INTERPRET SO HELP YOU  
9 GOD?  
10 INT YES MAAM.  
11 FV THANK YOU.. WE ARE STILL  
12 CONTINUING WITH THE  
13 DEPOSITIONS IN THIS MATTER.  
14 DOES THE GOVERNMENT HAVE ANY  
15 MORE WITNESSES THAT THEY  
16 WANT TO DEPOSE?  
17 MV1 YES MAAM. GOVERNMENT CALLS  
18 KHALID.  
19 MV2 MAAM, BEFORE WE START, I KNOW  
20 WE HAVE 4 MORE WITNESSES LEFT  
21 IN THE DEPOSITIONS AS WELL AND  
22 IF IT IS ALL RIGHT WITH THE  
23 GOVERNMENT? IN SPITE OF THE  
24 FACT THAT THESE DEPOSTIONS  
25 WILL BE GOING ANOTHER DAY. HIS  
26 INVESTIGATOR IS HERE AND IF IT IS  
27 ALL RIGHT WITH THE  
28 GOVERNMENT, HE WOULD LIKE TO

READING..  
MV3 YES MAAM.  
FV OK ... THANK YOU VERY MUCH. AHH  
...WILL THE INTERPRETER ... DO YOU  
SWEAR THAT IN THE CASE NOW IN  
HEARING WILL YOU INTERPRET  
TRULY THE TESTIMONY CALLED  
UPON TO INTERPRET SO HELP YOU  
GOD?  
INT YES MAAM..  
FV THANK YOU . WE ARE STILL  
CONTINUING WITH THE  
DEPOSITIONS IN THIS MATTER.  
DOES THE GOVERNMENT HAVE ANY  
MORE WITNESSES THAT THEY  
WANT TO DEPOSE?  
MV1 YES MAAM. GOVERNMENT CALLS  
KHALID.  
MV2 MAAM, BEFORE WE START, I KNOW  
WE HAVE 4 MORE WITNESSES LEFT  
IN THE DEPOSITIONS AS WELL AND  
IT IS ALL RIGHT WITH THE  
GOVERNMENT? IN SPITE OF THE  
FACT THAT THESE DEPOSTIONS  
WILL BE GOING ANOTHER DAY. HIS  
INVESTIGATOR IS HERE AND IF IT IS  
ALL RIGHT WITH THE  
GOVERNMENT, HE WOULD LIKE TO

1 DO, WHILE THE DEPOSITION IS  
2 GOING ON, INTERVIEW THE ONES  
3 OUT IN THE HALL WHILE THIS  
4 DEPOSITION IS GOING ON.

5 FV THERE IS NO PROBLEM IF THEY CAN  
6 KEEP IT DOWN. IS THERE A  
7 PROBLEM WITH THEM USING THE ...

8 MV2 THEY WILL USE THAT TABLE ... THE  
9 ONE ACROSS THE WAY. WE WILL  
10 NOT HEAR THEM OVER HERE.

11 FV OK THAT IS FINE ...

12 MV1 I THINK WE ARE READY

13 MV? IS HE? ... OK PERFECT.

14 MV2 NO. HE IS GOING TO GRAB THE NON-  
15 KHALID WITNESSES.

16 MV1 OK.

17 FV I THOUGHT HE WAS GETTING ...

18 MV2 HE IS GOING TO GRAB THE NON-  
19 KHALID WITNESSES.

20 MV? GO OVER THERE AND SIT ON THAT  
21 CHAIR.

22 FV PLEASE BE SEATED ... MR. KHALID  
23 KAMAL SALMAAN RASIF HUSSIEN  
24 AL-ANZI, WILL YOU PLEASE STAND  
25 WITH YOUR RIGHT HAND ON THE  
26 HOLY QURAN AS YOU REPEAT THIS  
27 OATH: "I, KHALID KAMAL SALMAAN  
28 RASIF HUSSIEN AL-ANZI SWEAR BY

DO, WHILE THE DEPOSITION IS  
GOING ON, INTERVIEW THE ONES  
OUT IN THE HALL WHILE THIS  
DEPOSITION IS GOING ON.

FV THERE IS NO PROBLEM IF THEY CAN  
KEEP IT DOWN. IS THERE A  
PROBLEM WITH THEM USING THE ...

MV2 THEY WILL USE THAT TABLE ... THE  
ONE ACROSS THE WAY. WE WILL  
NOT HEAR THEM OVER HERE.

FV OK THAT IS FINE ...

MV1 I THINK WE ARE READY

MV? IS HE? ... OK PERFECT.

MV2 NO. HE IS GOING TO GRAB THE NON-  
KHALID WITNESSES.

MV1 OK.

FV I THOUGHT HE WAS GETTING ...

MV2 HE IS GOING TO GRAB THE NON-  
KHALID WITNESSES.

MV? GO OVER THERE AND SIT ON THAT  
CHAIR.

FV PLEASE BE SEATED ... MR. KHALID  
KAMAL SALMAAN RASIF HUSSIEN  
AL-ANZI, WILL YOU PLEASE STAND  
WITH YOUR RIGHT HAND ON THE  
HOLY QURAN AS YOU REPEAT THIS  
OATH: "I, KHALID KAMAL SALMAAN  
RASIF HUSSIEN AL-ANZI SWEAR BY

1 ALL MIGHTY ALLAH TO TELL THE  
2 TRUTH, NOTHING BUT THE TRUTH  
3 AND ALLAH IS THE WITNESS TO  
4 WHAT I SAY”.

5 *[Witness repeat the entire oath, as it is*  
6 *translated to him, in Arabic]*

7 FV PLEASE BE SEATED .... SIR IS IT  
8 CORRECT TO CALL YOU MR. AL-  
9 ANZI?

10 FV THANK YOU. MY NAME IS COLONEL  
11 ANDERSON AND I AM THE  
12 DEPOSITION OFFICER AND  
13 EVERYTHING THAT IS BEING SAID  
14 IN THIS ROOM IS BEING  
15 INTERPRETED BY THE INTERPRETER  
16 AND IS BEING RECORDED BY THE  
17 COURT REPORTER ... I UNDERSTAND  
18 YOU ARE A LAWYER AND YOU  
19 UNDERSTAND THIS FORMALITY  
20 BUT IS IS VERY IMPORTANT THAT  
21 THE INTERPRETER BE ABLE TO  
22 COMPLETELY FINISH THE  
23 TRANSLATION BEFORE YOU TALK  
24 AND IT IS VERY IMPORTANT THAT  
25 THE COURT REPORTER BE ABLE TO  
26 GET DOWN ALL THAT IS BEING SAID  
27 IN THIS ROOM ... DURING THESE  
28 PROCEEDINGS COUNSEL FOR THE

ALL MIGHTY ALLAH TO TELL THE  
TRUTH, NOTHING BUT THE TRUTH  
AND ALLAH IS THE WITNESS TO  
WHAT I SAY”.

*[Witness repeat the entire oath, as it is*  
*translated to to him, in Arabic]*

MW **No problem.**

MW **No.**

1 PROSECUTION AND COUNSEL FOR  
2 THE DEFENCE WILL BE ASKING YOU  
3 QUESTIONS AND IT IS VERY  
4 IMPORTANT THAT THEY BE ABLE  
5 TO FINISH THE QUESTION BEFORE  
6 AN ANSWER IS GIVEN ... THE  
7 INTERPRETER IS GOING TO  
8 LITERALLY TRANSLATE ALL THE  
9 QUESTIONS BEING ASKED. BUT IF  
10 THERE IS A QUESTION THAT IS  
11 BEING ASKED THAT YOU DO NOT  
12 UNDERSTAND, PLEASE LET THE  
13 INTERPRETER KNOW AND THE  
14 INTERPRETER WILL SAY IT IN  
15 ENGLISH THAT YOU DO NOT  
16 UNDERSTAND AND THE COUNSEL  
17 WILL BE ABLE TO REPHRASE THE  
18 QUESTIONS ... UMM ... DO YOU HAVE  
19 ANY QUESTIONS?

20 FV UMM ... DURING THIS TESTIMONY  
21 THERE MAY BE AN OCCASION  
22 WHEN ONE OF THE ATTORNEYS HAS  
23 AN OBJECTION OR WANT TO MAKE  
24 A STATEMENT FOR THE RECORD. IF  
25 THEY MAKE SUCH A STATEMENT  
26 OR START TALKING WHILE YOU  
27 ARE TALKING, PLEASE  
28 IMMEDIATELY STOP TALKING ... WE

FV UMM ... DURING THIS TESTIMONY  
THERE MAY BE AN OCCASION  
WHEN ONE OF THE ATTORNEYS HAS  
AN OBJECTION OR WANT TO MAKE  
A STATEMENT FOR ON THE RECORD.  
IF THEY MAKE SUCH A STATEMENT  
OR START TALKING WHILE YOU  
ARE TALKING, PLEASE  
IMMEDIATELY STOP TALKING ... WE

1 WANT THE ATTORNEYS TO BE ABLE  
2 TO STATE FOR THE RECORD WHAT  
3 THEIR OBJECTION IS AND AFTER  
4 THE ATTORNEYS STATE THEIR  
5 OBJECTION YOU WILL BE ABLE TO  
6 FINISH WHAT YOU ARE SAYING ...  
7 IF YOU ARE NOT ABLE TO FINISH  
8 WHAT YOU ARE SAYING AND  
9 SOMEBODY START TALKING ,  
10 PLEASE MAKE SURE THAT YOU  
11 TELL THE INTERPRETER THAT YOU  
12 WERE NOT FINISHED WITH YOUR  
13 TESTIMONY SO WE WILL KNOW  
14 AND THE INTERPRETER WILL SAY  
15 THAT IN ENGLISH. ... SO THAT BOTH  
16 ATTORNEYS WILL KNOW YOU HAVE  
17 NOT FINISHED ... IF YOU WANT TO  
18 TAKE A BREAK, TO USE THE REST-  
19 ROOM OR SOME WATER, PLEASE  
20 LET US KNOW. IT WILL NOT BE ANY  
21 PROBLEM. YOU UNDERSTAND?

22  
23 FV THANK YOU. COUNSEL YOU MAY  
24 PROCEED.

25 MV1 YES MAAM ... GOOD MORNING MR.  
26 AL-ANZI.

27 MV1 AS YOU MAY KNOW MY NAME IS  
28 MAJOR DAREN ERICKSON. WE HAVE

WANT THE ATTORNEYS TO BE ABLE  
TO STATE FOR THE RECORD WHAT  
THEIR OBJECTION IS AND AFTER  
THE ATTORNEYS STATE THEIR  
OBJECTION YOU WILL BE ABLE TO  
FINISH WHAT YOU ARE SAYING ... IF  
YOU ARE NOT ABLE TO FINISH  
WHAT YOU ARE SAYING AND  
SOMEBODY START TALKING ,  
PLEASE MAKE SURE THAT YOU  
TELL THE INTERPRETER THAT YOU  
WERE NOT FINISHED WITH YOUR  
TESTIMONY SO WE WILL KNOW AND  
THE INTERPRETER WILL THAT IN  
ENGLISH. ... SO THAT BOTH  
ATTORNEYS WILL KNOW YOU HAVE  
NOT FINISHED ... IF YOU WANT TO  
TAKE A BREAK TO USE THE REST-  
ROOM OR SOME WATER, PLEASE  
LET US KNOW. IT WILL NOT BE ANY  
PROBLEM. YOU UNDERSTAND?

MW **YES.**

FV THANK YOU. COUNSEL YOU MAY  
PROCEED.

MW **Good morning.**

MW **Yes.**

1	MET BEFORE.		
2	MV1 MR. AL-ANZI IS KHALID SALMAAN	MW	<b>Yes.</b>
3	RASIF HUSSIEN AL-ANZI YOUR FULL		
4	NAME?		
5	MV1 ARE YOU KNOW BY ANY OTHER	MW	<b>No.</b>
6	NAME?		
7	MV1 AND WHERE DO YOU CURRENTLY	MW	<b>Haditha ... Al-Sabhani.</b>
8	LIVE?		
9	MV1 DO YOU HAVE A STREET ADDRESS?	MW	<b>Near the "Al-Haye Al-Askari" [Military</b>
10			<b>neighborhood] street ... Near the street</b>
11			<b>leading to the"Haye Al-Askari".</b>
12	FV CAN YOU PLEASE PUT THAT	FV	CAN YOU PLEASE PUT THAT
13	SPELLING PHONETICALLY IN		SPELLING PHONETICALLY IN
14	ENGLISH AND STATED IT FOR THE		ENGLISH AND STATED FOR THE THE
15	THE COURT REPORTER ...? THANK		COURT REPORTER ...? THANK YOU.
16	YOU. COUNSEL.		COUNSEL.
17	MV1 HOW LONG HAVE YOU LIVED AT	MW	<b>Since my birth.</b>
18	THAT ADDRESS?		
19	MV1 HOW OLD ARE YOU RIGHT NOW?	MW	<b>Born in 1974.</b>
20	MV1 HAVE YOU EVER LEFT HADITHA	MW	<b>Only when I went to Baghdad to study</b>
21	[UN] FOR VACTION OR ANY OTHER		<b>there for 4 years; from 1992 – 1996.</b>
22	REASON?		
23	MV1 AND WHAT IS YOUR OCCUPATION?	MW	<b>A lawyer.</b>
24	MV1 AND HOW LONG HAVE YOU BEEN A	MW	<b>For ten years.</b>
25	LAWYER?		
26	MV1 ARE YOU CURRENTLY ON ANY	MW	<b>No.</b>
27	MEDICATION TO-DAY?		
28	<i>[Local interpreter: "Are you under</i>		

1	<i>treatment ...]</i>		
2	MV1 DO YOU HAVE ANY PHYSICAL OR	MW	<b>No.</b>
3	MENTAL IMPAIRMENT THAT MAY		
4	IMPACT YOUR ABILITY TO TESTIFY		
5	TO-DAY?		
6	MV1 HAS ANY ONE TOLD YOU WHAT TO	MW	<b>No.</b>
7	SAY TO-DAY		
8	MV1 MR. AL-ANZI, I WANT TO TAKE	MW	<b>Yes.</b>
9	YOUR ATTENTION TO 19 NOVEMBER		
10	2005. DO YOU REMEMBER THAT?		
11	MV1 AND WHAT IS THAT DATE IN IRAQ?	MW	<b>That day is considered a black day in the</b>
12			<b>history of Haditha.</b>
13	MV1 IS THE YEAR 2005 RECOGNIZED IN	MW	<b>What is the question?</b>
14	IRAQ? ... IS THE YEAR 2005 IS THAT		
15	THE YEAR IS IN IRAQI ....?		
16	MV1 2005, IS THAT THE YEAR THAT IS	MW	<b>You mean the year that is recognized in</b>
17	RECOGNIZED IN IRAQ?		<b>Iraq? ... Yes.</b>
18	MV1 DO YOU REMEMBER WHERE YOU	MW	<b>Yes. I was sleeping in my house, which is</b>
19	WERE THE MORNING OF 19		<b>only about 250 meters distance from the</b>
20	NOVEMBER 2005?		<b>site of the incident.</b>
21	MV1 YOU SAID YOU WERE SLEEPING?	MW	<b>I woke up at the sound of the explosion</b>
22	WHAT TIME DID YOU WAKE UP?		<b>... Around 7:15.</b>
23	MV1 AND DID YOU SEE THE EXPLOSION?	MW	<b>I did not see the explosion with my own</b>
24			<b>eyes, but it was a very strong explosion</b>
25			<b>... In fact my house shook from the force</b>
26			<b>of the explosion. Few minutes after the</b>
27			<b>explosion, I heard the sound of firing</b>
28			<b>and of soldiers shouting ... The Marines.</b>

1 MV1 NOW RIGHT AFTER YOU HEARD THE  
2 EXPLOSION AND YOU WOKE UP. DID  
3 YOU GO OUTSIDE YOUR HOUSE?  
4

MW **I went out within the confines of my  
garden. Only so as to try to find out what  
has happened and to see what happened  
... Only to find out and see what  
happened. But as soon as I heard the  
firing by the Marines I rushed back into  
the house.**

8 MV1 YOU SAID YOU HEARD GUNFIRE  
9 FROM THE MARINES. DID YOU SEE  
10 THE MARINES?

MW **Yes I did see some Marines.**

11 MV1 AND WHERE WERE THEY?

MW **They were near the site of the explosion.**

12 MV1 AND DO YOU REMEMBER WHERE  
13 THAT EXPLOSION WAS?

MW **In the street leading to “Haye Al-  
Askari”.**

14 MV1 AND WHAT YOU CALL THAT  
15 STREET?

MW **We, in Iraq, we do not give names to  
streets. We designate them by the name  
of the neighborhood. “Haye Al-Askari”  
street.**

18 *[Clarification: “Haye Al-Askari”, which*  
19 *stands for Army neighborhood, would mean*  
20 *a neighborhood where military*  
21 *people/families have been allocated plots*  
22 *of land to build houses on by the previous*  
23 *government at low prices.. You would have*  
24 *“Haye Al-Muhandiseen” i.e. engineers*  
25 *neighborhood; “Haye Al-Muhameen” i.e.*  
26 *Lawyers neighborhood, “Haye Al-Atabi’aa*  
27 *“ i.e. Doctors neighborhood ... etc. etc.]*

28 MV1 OK AND YOU SAY YOU HEARD

MW **Because whenever an explosion happens,**

1 MANY SHOOTINGS? HOW DO YOU  
2 KNOW THEY WERE MARINES WHO  
3 WERE SHOOTING?  
4  
5  
6  
7

**and this was not the first explosion to  
happen in Haditha, the occupation forces  
would begin by shooting indiscriminately  
or, at times, at a specific target. That is  
why we began to distinguish the sound of  
explosions and the sound of automatic  
fire ...**

8 MV1 MR. AL-ANZI DO YOU KNOW  
9 KHAMISSAH TOUMA ALI?

MW **Touma Ali? Yes. She is my maternal  
aunt. My mother's sister.**

10 MV1 AND YOU KNOW WHERE SHE  
11 LIVED?

MW **Yes.**

12 MV1 AND WHERE DID SHE LIVE?

MW **She lived in Haditha in this house with  
her husband, Abdul Al-Hamid Hassan  
Ali ... Yes ... And she was killed with  
seven members of her family.**

16 MV1 AND HER HOUSE WHERE IS IT IN  
17 RELATION TO YOUR HOUSE?

MW **Her house is situated on top of a hill and  
we are below in the valley.**

18 MV1 AND HOW FAR AWAY?

MW **Approximately between 250 and 300  
meters. Because the site of the explosion  
is parallel to my maternal aunt's house  
as well as the house of my paternal  
uncle.**

23 MV1 DO YOU KNOW DIRECTIONS NORTH  
24 - SOUTH - EAST - WEST?

MW **Yes.**

25 MV1 OK SO YOU ARE 250-300 METERS TO  
26 THE NORTH, SOUTH, EAST, WEST OF  
27 YOUR AUNT HOUSE?  
28

MW **My house is East and they are West. My  
house is situated on the side of the  
nearby river ... They are west of my  
house by about 250-300 meters.**

1 MV1 OK I GET IT. SO AS TO MAKE THE  
2 RECORD CLEAR, MR. AL-ANZI'S  
3 HOUSE IS 200 .. I AM SORRY ... THE  
4 AUNT'S HOUSE IS 250-300 WEST OF  
5 THE AL-ANZI'S HOUSE. UMM ...  
6 WELL THAT WHAT HE JUST SAID, IT  
7 SOUNDED LIKE HE SAID THAT HIS  
8 AUNT'S HOUSE IS WEST OF HIS  
9 HOUSE 250-300 METERS WEST.

11 MV1 AFTER THE EXPLOSION AND AFTER  
12 YOU SAID YOU HEARD GUN-SHOTS,  
13 DID YOU GO OUTSIDE YOUR HOUSE  
14 TO SEE WHAT IS GOING ON?

15 MV1 WHILE YOU WERE OUTSIDE COULD  
16 YOU SEE YOUR AUNT'S HOUSE  
17 FROM WHERE YOU WERE?

18 MV1 AND WHAT DID YOU SEE AT YOUR  
19 AUNT'S HOUSE WHILE YOU WERE  
20 OUTSIDE?

21 MV1 WHO ELSE LIVED IN YOUR AUNT'S  
22 HOUSE?

MW **To be more precise and to clarify it for  
you. My house is situated in this place  
where I am sitting now and my maternal  
aunt's house is situated in the place  
where you are sitting. The distance  
between this place and that place where  
you are, is between 250-300 meters.**

*[Witness indicates the seat he is sitting on  
and then point straight ahead of him, where  
the questioner is sitting?]*

MW **I told you I only went within the confines  
my garden and once I heard gun-shots I  
hurried back into the house.**

MW **From inside the house I can ... From  
inside the garden I can see my maternal  
aunts's house.**

MW **There was nothing to see. During the  
time I went out and the time I went back  
in again, there was nothing to be seen.**

MW **In my materanl aunt's house lived: her  
husband, Abdul Hamid Hassan Ali and  
her children: Jaheed Abdul Hamid  
Hassan; also Rasheed Abdul Hamid  
Hassan, his wife: Hiba Abdullah Abid  
...Yes ... and also his son: Waleed Abdul  
Hamid Hassan and his wife, my sister,  
Asma'a Salmaan Nasif and their**

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MV1 MR. AL-ANZI WHAT HAPPENED  
AFTER YOU WENT INTO YOUR  
HOUSE?

MW **What happened after I went back in the house? ... What normally happens is that the American forces would leave the area where an explosion or an IED occurred, and within an hour after that the area would revert back to its normal state. Life would resume normally in the neighborhood. But what happened on that black day, we heard intermittent firing and also the sound of explosions but not of the same level as the big explosion. This situation continued until about midday. After that time we had our lunch in our house. Aroud 2:30 – 3:00 in the afternoon I heard someone knocking on my house door. I went out to see who it was and I saw my maternal cousin, Anwar Hajij Touma.**

MV1 JUST A SECOND. SAW WHOM?  
MV1 AND WHAT HAPPENED AFTER YOU  
SAW YOUR COUSIN TOUMA?

MW **Anwar Hajij Touma.**  
MW **He told me about what has been happening in the area. He told me that the Marines had killed my maternal aunt family and my paternal cousin's Yunis Salim Nasif, family.**

1	MV1	OK ... UMM ... SALIM RASIF WHERE	MW	<b>The same distance between my house</b>
2		DID HE LIVE IN RELATIONS TO		<b>and my maternal aunt's house. Because</b>
3		YOUR HOUSE?		<b>his house is no more than 4 to 5 meters</b>
4				<b>distance from my maternal aunt's house.</b>
5	MV1	AND DID YOU KNOW WHO LIVED IN	MW	<b>Yes.</b>
6		YUNIS SALIM RASIF'S HOUSE?		
7	MV1	WHO WAS THERE?	MW	<b>Yunis Salim Nasif, head of the family;</b>
8				<b>his wife: Aida Yassin Ahmed</b>
9				<b>Houwaydah and his children: Noor</b>
10				<b>Yunis Salim Nasif; Safaa Yunis Salim</b>
11				<b>Nasif; Sabaa Yunis Salim Nasif;</b>
12				<b>Mohammad Yunis Salim Nasif; Zainab</b>
13				<b>Yunis Salim Nasif and Aisha Yunis</b>
14				<b>Salim Nasif. Yunis Salem Nasif's wife</b>
15				<b>had undergone a surgical operation few</b>
16				<b>days previously so her sister Huda Yunis</b>
17				<b>... Sorry ... Huda Yassin Ahmed, was</b>
18				<b>there to help, temporarily, with the</b>
19				<b>house chores until she recovers. I would</b>
20				<b>like to clarify one point ... I enquired</b>
21				<b>from the person about ...</b>
22	MV2	OBJECTION. NON-RESPONSIVE.	MV2	OBJECTION. NON-RESPONSIVE.
23	FV	COUNSEL DO YOU WANT THE	FV	COUNSEL DO YOU WANT THE
24		WITNESS TO CONTINUE?		WITNESS TO CONTINUE?
25	MV1	YES PLEASE.	MV1	YES PLEASE.
26	FV	TELL THE WITNESS TO CONTINUE.	FV	TELL THE WITNESS TO CONTINUE.
27			MW	<b>Shall I continue? I enquired from Anwar</b>
28				<b>Hajj Touma, who is my maternal cousin</b>

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*[son of a maternal uncle]* as to how he knew that the American forces killed my maternal aunt's family as well as my paternal cousin's family?

MV1 MR. AL-ANZI, DID YOU PERSONALLY SEE MARINES GO INTO ANY OF THOSE HOUSES?

MW No I did not see.

MV1 OK MR. AL-ANZI DID YOU SEE ANYBODY ENTER THESE HOUSES THAT DAY?

MW From my house? No. But I saw that some Marines had climbed on the roofs of the houses surrounding the place of the incident.

MV1 OK. DID YOU HAVE AN OPPORTUNITY THAT DAY TO GO INTO ANY ONE OF THOSE HOSUES?

MW My maternal cousin, Anwar Hajij Touma and I tried to go to find out what exactly happened, but when we spotted snipers on top of the roofs, we were afraid they would shoot at us. So we returned to the *[my]* house.

MV1 DID YOU EVER HAVE THE OPPORTUNITY TO GO INTO ANY OF THOSE HOUSES AFTER 19 NOVEMBER 2005?

MW I went the following day ... But I would like to clarify one point. When I had asked Anwar Hajij Touma as to how he knew that the Marines had killed my maternal aunt's family and my paternal cousin's, he told me that Yassin Salim Nasif ...

MV2 OBJECTION. HEARSAY.

MV2 OBJECTION. HEARSAY.

FV GO AHEAD COUNSEL.

FV GO AHEAD COUNSEL.

MV2 OBJECTON. HEARSAY.

MV2 OBJECTON. HEARSAY.

FV TELL THE WITNESS TO CONTINUE

FV TELL THE WITNESS TO CONTINUE

1 OR HAS HE FINISHED?  
2  
3  
4  
5  
6  
7  
8  
9 MV2 OBJECTION. HEARSAY.  
10 FV HE STATED HIS OBJECTION. SO YOU  
11 CAN GO AHEAD AND CONTINUE THE  
12 TRANSLATION . DID YOU FINISH  
13 THE TRANSLATION? ... ASK HIM TO  
14 REPEAT WHAT HE SAID PLEASE?  
15  
16  
17 MV2 OBJECTION. HEARSAY.  
18 FV NOTED.  
19  
20  
21  
22  
23 MV2 OBJECT TO ALL THIS. THE WITNESS  
24 ... IT IS ALL HEARSAY. THE WITNESS  
25 IS NOT PERCEIVING ANY OF THIS.  
26 FV YOUR OBJECTION IS NOTED IN THE  
27 RECORD.  
28 MV1 CONTINUE PLEASE.

OR HAS HE FINISHED?  
MW ... had come down from ... Because he  
lived next to Abdul Hamid Hussein's  
house and near to Yunis Salim Nasif's  
sister's house ... He told me that Yassin  
Salim Nasif had gone down from his  
house with his niece, Safaa Yunis  
Salim...  
MV2 OBJECTION. HEARSAY.  
FV HE STATED HIS OBJECTION. SO YOU  
CAN GO AHEAD AND CONTINUE THE  
TRANSLATION . DID YOU FINISH  
THE TRANSLATION? ... ASK HIM TO  
REPEAT WHAT HE SAID PLEASE?  
MW **Anwar Hajj Touma informed me that**  
...  
MV2 OBJECTION. HEARSAY.  
FV NOTED.  
MW ... Yassin Salim Nasif, who is my  
paternal cousin, had come down from  
his house with his niece *[sister's]*: Safaa  
Yunis Salim and his wife ...  
MV2 OBJECT TO ALL THIS. THE WITNESS  
... IT IS ALL HEARSAY. THE WITNESS  
IS NOT PERCEIVING ANY OF THIS.  
FV YOUR OBJECTION IS NOTED IN THE  
RECORD.  
MV1 CONTINUE PLEASE.

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MV2 OBJECTION. NARRATIVE. THE WITNESS IS JUST TELLING WHATEVER STORY HE WANTS TO TELL FOR THE LAST 5 MINUTES HERE. HE IS NON RESPONSIVE AT ALL AND IT IS NARRATIVE.

FV NOTED.

MV1 MR. AL-ANZI I MUST STOP YOU NOW. I WANT YOU BACK WHEN YOU FIRST WENT TO YOUR AUNT'S HOUSE AND YOUR COUSIN'S HOUSE. CAN YOU TAKE US BACK TO THE TIME WHEN YOU FIRST WENT INTO YOUR AUNT'S HOUSE? YOU REMEMBER THAT TIME?

MV1 OK. WHO? ... ABOUT WHAT TIME OF THE DAY YOU WENT TO YOUR

MW ... he went to his parent's house, which is alongside mine and my paternal uncle and another paternal uncle. That is to say there is one house between his house and my house, and that is his parent's house.

MV2 OBJECTION. NARRITAVE. THE WITNESS IS JUST TELLING WHATEVER STORY HE WANTS TO TELL FOR THE LAST 5 MINUTES HERE. HE IS NON RESPONSIVE AT ALL AND IT IS NARRATIVE.

FV NOTED.

MW ... He came down to his parent's house which is one house away from my house. So we asked him as to what happened in my maternal aunt's house and my paternal cousin's house.

FW It was on the following day after the incident that I went to my maternal aunt's house and my paternal cousin's house.

MW **Around 7:45 in the morning.**

1	AUNT'S HOUSE FIRST?		
2	MV1 OK. AND WAS THERE ANYONE WITH	MW	<b>I went with my brothers and my cousins</b>
3	YOU WHEN YOU WENT TO THE		<b>to check for corpses and for the living.</b>
4	HOUSE?		
5	MV1 DID YOU FIND ANY DEAD OR LIVING	MW	<b>No. We did not find any bodies nor did</b>
6	ONES IN THE HOUSE WHEN YOU		<b>we find any living person. We only saw</b>
7	WENT?		<b>great disorder all over the place and</b>
8			<b>blood covering most of the houses ...</b>
9	MV1 HOW DO YOU KNOW ... HOLD ON	MW	<b>... And the smell of smoke filling ....</b>
10	FOR A MINUTE ....		
11	MV2 OBJECTION.	MV2	OBJECTION
12	MV1 I MUST STOP YOU. JUST A SECOND ...	MW	<b>I thought that it was just possible that</b>
13	YOU SAID YOU DID NOT SEE ANY		<b>the American forces had taken them to</b>
14	DEAD OR LIVE IN THE HOUSE. DID		<b>Haditha Hospital.</b>
15	YOU KNOW WHERE THEY WERE?		
16	MV2 SPECULATION.	MV2	SPECULATION.
17	MV1 AND DID YOU KNOW WHERE THE	MV1	AND DID YOU KNOW WHERE THE
18	DEAD WENT?		DEAD WENT?
19	MV2 OBJECTION. VAGUE AS TO TIME.	MV2	OBJECTION. VAGUE AS TO TIME..
20		MW	<b>No.</b>
21	MV1 DID YOU FIND OUT AT ANY TIME	MW	<b>I did not know. I guessed ... just a</b>
22	WHERE THE DEAD WENT?		<b>hunch... We went in cars to Haditha</b>
23			<b>Hospital and we found the bodies lying</b>
24			<b>there ...</b>
25	MV1 AND WHO DID YOU FIND AT	MW	<b>We found all the bodies. There were</b>
26	HADITHA HOSPITAL?		<b>more ... There were 24 corpses.</b>
27	MV1 OK.	MW	<b>... They were in bags [Body bags]</b>
28			<b>belonging to the American forces.</b>

1 MV1 OK. AND YOU SAID THERE WERE 24 MW **There were 24 bodies in the morgue at**  
2 BODIES AND DID YOU LOOK AT ALL **Haditha Hospital ... In the freezer.**  
3 THE 24 BODIES IN HADITHA *[Interpreter interpreted freezer as*  
4 HOSPITAL? *“Cooler”]*  
5 MV1 DID YOU PERSONALLY SEE EVERY MW **They were layed out on the floor ... Yes I**  
6 SINGLE BODY AT THE COOLER? **saw them with my own eyes ... and we**  
7 **started checking for bodies that**  
8 **belonged to us.**  
9 MV1 AND DID YOU FIND THE DEAD MW **Yes.**  
10 BODIES THAT BELONGED TO YOU?  
11 MV1 AND WHO WERE THEY? MW **There were 15 bodies. Of course there**  
12 **were with me, our neighbors and my**  
13 **cousins as well as my brothers ... There**  
14 **was present with me during this process**  
15 **my brothers; my cousins and our**  
16 **neighbors. We found 15 bodies ... 14**  
17 **bodies we were able to recognize but we**  
18 **did not find ...**  
19  
20 MV1 TRANSLATE WHAT HE JUST SAID. MV1 TRANSLATE WHAT HE JUST SAID.  
21 INT I JUST DID. INT I JUST DID.  
22 FV HE SAID HE JUST DID. FV HE SAID HE JUST DI.  
23 MV1 OK. YOU SAID 14 DEAD BODIES. MW **Yes. Abdul Hamid Hassan Ali;**  
24 **Khmissah Touma Ali; Jaheed Abdul**  
25 **Hamid Hassan; Rasheed Abdul Hamid**  
26 **Hassan; Asma’a Salman Nasif; Abdullah**  
27 **Waleed Abdul Hamid; Yunis Salim**  
28 **Nasif; Noor Yunis Salim; Sabaa Yunis**

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**Salim; Mohammad Yunis Salim; Zainab Yunis Salim; Aisha Yunis Salim; Aida Yassin Ahmed; Huda Yassin Ahmed ... After we collected the 14 bodies we placed them in a KIA ...The other families came ...**

MV1 OK. HOLD ON ...  
MV2 HOLD ON. OBJECTION.  
FV PLEASE TELL THE WITNESS THAT WHEN THE ATTORNEY STARTS TO TALK FOR HIM TO STOP ... IF HE HAS NOT FINISHED ANSWERING THE QUESTIONS TO LET US KNOW AND WE WILL GIVE HIM THE OPPORTUNITY TO FINISH. HOWEVER HIS TESTIMONY IS TO BE CONFINED TO ANSWERING THE QUESTION. SO HE CANNOT TELL A NARRATIVE.  
MV1 OK. KIA VEHICLE  
MV1 AND WHAT DID YOU DO NEXT?  
MV1 AND DID YOU BURY THEM?  
MV2 OBJECTION NON RESPONSIVE.

MV1 OK. HOLD ON ...  
MV2 HOLD ON. OBJECTION.  
FV PLEASE TELL THE WITNESS THAT WHEN THE ATTORNEY STARTS TO TALK FOR HIM TO STOP ... IF HE HAS NOT FINISHED ANSWERING THE QUESTIONS TO LET US KNOW AND WE WILL GIVE HIM THE OPPORTUNITY TO FINISH. HOWEVER HIS TESTIMONY IS TO BE CONFINED TO ANSWERING THE QUESTION. SO HE CANNOT TELL A NARRATIVE. OK?  
FW **Yes ... a KIA car. And we brought them to my paternal uncle Hamid Hassan Ali's house.**  
MW **We washed them and then wrapped them in white shrouds and prepared them for burial**  
MW **Before we were able to bury them an American patrol came accompanied by a photographer ...**  
MV2 OBJECTION NON RESPONSIVE.

1	MV1	GO AHEAD.	MW	<b>... With a photographer... I spoke with</b>
2				<b>him ...</b>
3	MV2	OBJECTION. THE QUESTION WAS	MV2	OBJECTION. THE QUESTION WAS
4		DID HE BURY THEM AND THIS HAS		DID HE BURY THEM AND THIS HAS
5		NOTHING TO DO WITH THEM.		NOTHING TO DO WITH THEM.
6	MV1	MR. AL-ANZI WHEN ... AFTER YOU	MW	<b>We placed them in coffins and then took</b>
7		TOOK THE BODIES TO YOUR		<b>them to the cemetery and buried the</b>
8		UNCLE'S HOUSE WHAT HAPPENED		<b>bodies.</b>
9		NEXT?		
10	MV1	OK. AND AFTER YOU BURIED	MW	<b>Yes.</b>
11		THEM? AFTER HOW MANY DAYS		
12		AFTER THE EVENT DID YOU BURY		
13		THEM? ... OK. SO HE CAN ONLY		
14		ANSWER THE QUESTION PUT		
15		BEFORE HIM.		
16	FV	ASK HIM IF HE UNDERSTANDS	MW	<b>Yes I understood.</b>
17	FV	COUNSEL I AM SORRY. GO AHEAD.	FV	COUNSEL I AM SORRY. GO AHEAD.
18	MV1	YOU SAID EARLIER THAT YOU	FW	<b>Yes.</b>
19		WENT THERE FOR 15 BODIES, IS		
20		THAT CORRCT?		
21	Mv1	YOU NAMED 14. WHO WAS THE	MW	<b>That body belonged to Waleed Abdul</b>
22		15TH?		<b>Hamid Hassan, my sister's husband.</b>
23	MV1	AND WERE YOU WERE ABLE TO	MW	<b>Yes.</b>
24		RECOVER THE 15 <sup>TH</sup> BODY OF		
25		WALEED?		
26	MV1	CAN YOU TELL US WHERE HE WAS?	MW	<b>He was with the other bodies. But his</b>
27				<b>corpse was carbonized and severely</b>
28				<b>disfigured.</b>

1 MV1 WHAT?  
2 INT BURNED ... SEVERLY BURNED  
3 MV1 AFTER YOU WENT TO THE  
4 HOSPITAL AND LOOKED AT THE  
5 BODIES WHAT DID YOU DO NEXT?  
6 MV1 WHEN WAS THAT?  
7 MV1 WHEN YOU SAID EARLIER THAT  
8 YOU PUT THEM IN A CASKET WHAT  
9 ARE THE MANY PROCEDURES YOU  
10 USE PRIOR TO BURYING A FAMILY  
11 MEMBER?  
12 MV1 OBJECTION. RELEVANCE.  
13 FV OBJECTION NOTED.  
14  
15 MV1 DID YOU DO THAT THIS TIME WITH THE  
16 15 BODIES THAT YOU HAD?  
17  
18  
19 MV1 WHY?  
20  
21 MV1 OK. MR. AL-ANZI DID YOU HAVE  
22 ANOTHER OPPORTUNITY TO VISIT  
23 THE HOUSE OF YOUR AUNT?  
24 MV1 YES.  
25 MV1 AND WHEN WAS THAT?  
26  
27 MV1 OK. AND WHO WENT WITH YOU  
28

MV1 WHAT?  
INT BURNED ... SEVERLY BURNED  
MW **We transported them in the KIA car.**  
  
MW **The second day.**  
MW **We always perform ritual ablution of  
that person then wrap him in a white  
shroud and then spray scent on the body  
...**  
MV2 OBJECTION. RELEVANCE.  
FV OBJECTION NOTED.  
MW **... We then carry it to the grave.**  
MW **We did not perform ablution for them,  
because, according to our faith, they are  
considered martyrs. We only wrapped them  
in a shroud.**  
MW **Because we consider them martyrs and if  
we did ... [Cut off by the interpreter]**  
MW **After this incident?**  
  
MW **Yes I went.**  
MW **It was in the afternoon of the following  
day of the incident ... after the burial**  
MW **There was with me a person... a**

1	THAT TIME?		<b>photographer.</b>
2	MV1 OK. ANYBODY ELSE?	MW	<b>With me? No.</b>
3	MV1 AND WHY DID YOU TAKE A	MW	<b>So as to preserve the scene of the crime</b>
4	PHOTOGRAPHER?		<b>and being worried that traces of the</b>
5			<b>crime would be erased.</b>
6	MV1 AND WHAT WERE YOU GOING TO	MW	<b>To take pictures of the sites of the</b>
7	DO WITH THE PICTURES THAT WERE		<b>damages and the places where the bullets</b>
8	BEING TAKEN?		<b>had impacted, which were everywhere.</b>
9	MV1 AND DID YOU DO THAT JUST IN	MW	<b>In my maternal aunt's house and my</b>
10	YOUR AUNT'S HOUSE?		<b>paternal cousin's house.</b>
11	MV1 AND YOUR COUSIN WHO IS HE	MW	<b>Yunis Salim Nasif.</b>
12	AGAIN?		
13	MV1 AND DID YOU IN FACT TAKE	MW	<b>Those two</b>
14	PICTURES OF BOTH HOUSES?		
15			
16	MV1 AND DID YOU SEE THESE PICTURES	MW	<b>Yes I saw them.</b>
17	AFTER THEY WERE TAKEN?		
18	MV1 AND WHAT DID YOU DO WITH	MW	<b>I copied them on to a CD disk.</b>
19	THESE PICTURES?		
20	MV1 AND WHAT DID YOU DO WITH THE	MW	<b>When the investigation into the incident</b>
21	CD?		<b>began, I handed copies of them to the</b>
22			<b>investigators.</b>
23	MV1 DO YOU REMEMBER WHO THAT	MW	<b>I believe it was a person called Mark</b>
24	WAS?		<b>Cranfield.</b>
25	MV1 DID YOU GIVE THESE PHOTOS TO	MW	<b>I believe .. Yes I gave them to the person</b>
26	ANYBODY ELSE BESIDES MR.		<b>in charge of "Civil Affairs" ... Major</b>
27	CRANFIELD?		<b>Hyatt.</b>
28	MV1 AND WHAT DID YOU GIVE TO	MW	<b>Because he was the person in charge of</b>

1 MAJOR HYATT  
2  
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6 MV1 OK. HOLD ON  
7 MV1 HOLD ON ... PERMISSION TO  
8 APPROACH?  
9 FV YOU MAY PROCEED.  
10 MV1 HANDING THE WITNESS WHAT IS  
11 GOING TO BE MARKED AS  
12 DEPOSITION EXHIBIT NO. 1 .. MR.  
13 RASIF HAVE YOU SEEN THAT PHOTO  
14 BEFORE?  
15 MV1 AND WHAT IS THAT PHOTO OF?  
16  
17 FV COUNSEL. CAN YOU IDENTIFY THE  
18 PHOTO NUMBER FOR THE RECORD?  
19 MV1 I AM GOING TO DO JUST THAT  
20 MAAM.. I AM JUST GOING TO MARK  
21 IT. I HAVE ALREADY SHOWN THAT. I  
22 WILL TAKE THAT FROM THE  
23 WITNESS AND I HAVE GOT IT  
24 MARKED .... HANDED IN AS  
25 DEPOSITION EXHIBIT NO. 1 .... MR.  
26 AL-ANZI I AM GOING TO HAND YOU  
27 WHAT IS GOING TO BE MARKED AS  
28 DEPOSITION EXHIBIT NO. 2. DOES

**“Civil Affairs” and they sent for us ...  
they asked to see a member from the  
victims’ families. The American forces  
asked that member from one of the  
victims’ families come.**

MW **Because we were ...**  
MV1 HOLD ON ... PERMISSION TO  
APPROACH?  
FV YOU MAY PROCEED.  
MW **Yes.**  
MW **This my sister’s room ... Asma’a Salman  
Nasif.**  
FV COUNSEL CAN YOU IDENTIFY THE  
PHOTO NUMBER FOR THE RECORD?  
MW **Yes ... Yes.**

1 THIS PHOTO LOOK FAMILIAR TO  
2 YOU?

3 MV1 AND WHAT IS THAT PHOTO? MW **This is the living room ...in my paternal  
4 cousin's house. Abdul Hamid Hassan  
5 Ali.**

6 MV1 TAKE THAT ... I AM HANDING THE MW **This the bed on which my paternal  
7 WITNESS WHAT IS GOING TO BE  
8 MARKED AS DEPOSITION EXHIBIT  
9 NO. 3 ... MR. AL-ANZI DOES THAT  
10 PHOTO LOOK FAMILIAR TO YOU?**

11 MV1 DOES THAT LOOK FAMILIAR TO MW **Yes.**  
12 YOU?

13 MV1 IS THAT A PHOTO YOU SAW ... THAT MW **We took general pictures of the entire  
14 YOU TOOK THAT DAY?**

15 MV1 THREE RECEIVED ... 1, 2, and 3. I AM MW **This is the same living room of my  
16 GOING TO HAND YOU ANOTHER  
17 PHOTOGRAPH THAT IS GOING TO BE  
18 MARKED DEPOSITION EXHIBIT NO.  
19 4. DOES THAT LOOK FAMILIAR TO  
20 YOU?**

21 MV1 AND THAT ACCURATELY REFLECTS MW **Yes.**  
22 WHAT YOU SAW THAT DAY WHEN  
23 YOU WERE TAKING PHOTOGRAPHS?

24 MV1 THANK YOU. NOW I AM HANDING MW **This is my uncle's house... The ceiling ...  
25 THE WITNESS WHAT IS GOING TO BE  
26 MARKED AS DEPOSITION EXHIBIT  
27 NO. 5. DOES THAT PHOTOGRAPH  
28 LOOKS FAMILIAR TO YOU MR. AL-**

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ANZI?

MV1 WHICH COUSIN?  
*[The interpreter had been interpreting  
"Uncle" as said by the witness into  
"cousin"]*  
MV1 AND THAT ACCURATELY REFLECTS  
WHAT YOU SAW THAT DAY WHEN  
YOU WERE TAKING PHOTOGRAPHS?  
MV3 I NEED TO CHANGE THE TAPES.  
MV1 YOU NEED TO CHANGE TAPES? OK .  
GO AHEAD ... CHNAGE IT.

**[END OF VIDEO TAPE]**

MW **My uncle Abdul Hamid Hassan Ali**  
*[The interpreter had been interpreting  
"Uncle" as said by the witness into  
"cousin"]*  
MW **Yes.**  
MV3 I NEED TO CHANGE THE TAPES.  
MV! YOU NEED TO CHANGE TAPES? OK .  
GO AHEAD ... CHANGE IT.

**[END OF VIDEO TAPE]**

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