

FEDERAL COURT

BETWEEN :

OMAR AHMED KHADR

Applicant

- and -

**THE PRIME MINISTER OF CANADA,
THE MINISTER OF FOREIGN AFFAIRS, THE DIRECTOR OF THE
CANADIAN SECURITY INTELLIGENCE SERVICE, and
THE COMMISSIONER OF THE ROYAL CANADIAN MOUNTED POLICE**

Respondents

AFFIDAVIT OF OMAR AHMED KHADR

I, OMAR AHMED KHADR, make oath and say as follows.

1. I am the Applicant in these proceedings and as such have personal knowledge of the matters hereinafter deposed to save and except where stated to be based upon information and belief.
2. I am a Canadian citizen. My date of birth is September 19, 1986.
3. I am a prisoner in Guantanamo Bay, Cuba. I was first taken prisoner by U.S. forces on July 27, 2002, when I was 15 years old. I was severely wounded in the battle where I was captured. I was shot at least twice in the back, at least once through my left shoulder exiting through my left breast, and once under my right shoulder, exiting out of my upper right side. I was also struck with shrapnel in my left eye, and was wounded in my left thigh, knee, ankle and foot.
4. I believe I remained conscious after being wounded and captured. I remember being carried by my arms and legs to an area in the open where someone put some bandages on me. The soldiers were asking me questions about my identity. They then placed me on a wooden board and carried me into a helicopter. I lost consciousness during the trip in the helicopter.
5. I was unconscious for about one week after being captured. When I began to regain consciousness I asked what the date was and knew that I had been unconscious for a week since being captured. I was awake, but I was not right and was out of my wits for about three days. I was in extreme pain and my pain

an elephant and an ant sleeping in the same bed,” and that there was nothing the Canadian government could do against the power of the U.S.

52. One of the men returned alone approximately one month after the Eid al-Adha holiday. The visitor showed me his Canadian passport, the outside of which was red in color. The Canadian visitor stated, “I’m not here to help you. I’m not here to do anything for you. I’m just here to get information.” The man then asked me questions about my brother, Abdullah.
53. Within a day of my last visit from the Canadians, my security level was changed from Level 1 to Level 4 minus, with isolation. Everything was taken away from me, and I spent a month in isolation. The room in which I was confined was kept very cold. It was “like a refrigerator”.
54. Around the time of Ramadan in 2003, an Afghan man, claiming to be from the Afghan government, interrogated me at Guantanamo. A military interrogator was in the room at the time. The Afghan man said his name was “Izmarai” (Lion), and that he was from Wardeq. He spoke mostly in Farsi, and a little in Pashto and English. He had an American flag on his trousers. The Afghan man appeared displeased with the answers that I was giving him, and after some time both the Afghan and the military interrogator left the room. A military official then removed my chair and short-shackled me by my hands and feet to a bolt in the floor. Military officials then moved my hands behind my knees. They left me in the room in this condition for approximately five to six hours, causing me extreme pain. Occasionally, a military officer and the interrogators would come in and laugh at me.
55. During the course of his interrogation of me, the Afghan man told me that a new detention center was being built in Afghanistan for non-cooperative detainees at Guantanamo. The Afghan man told me that I would be sent to Afghanistan and raped. The Afghan man also told me that they like small boys in Afghanistan, a comment that I understood as a threat of sexual violence. Before leaving the room, the Afghan man took a piece of paper on which my picture appeared, and wrote on it in the Pashto language, “This detainee must be transferred to Bagram”.
56. During one interrogation at Guantanamo in the spring of 2003, an interrogator spit in my face when he didn’t like the answers I provided. He pulled my hair, and told me that I would be sent to Israel, Egypt, Jordan, or Syria – comments that I understood to be a threat of torture. The interrogator told me that the Egyptians would send in “Askri raqm tisa” – Soldier Number 9 – which was explained to me was a man who would be sent to rape me.
57. The interrogator told me, “Your life is in my hands”. My hands and ankles were shackled, and the interrogator then removed my chair, forcing me to sit on the floor. The interrogator told me to stand up. Because of the way I was shackled, I

was not able to use my hands to do so, thus making the act difficult to do. As ordered by the interrogator, I stood up, at which time the interrogator told me to sit down again. When I did so, the interrogator ordered me to stand again. I could not do so, at which point the interrogator called two military police officers into the room, who grabbed me by the neck and arms, lifted me, up, and then dropped me to the floor. The military police officers lifted and dropped me in this manner approximately five times, each time at the instruction of the interrogator. The interrogator told me they would throw my case in a safe and that I would never get out of Guantanamo. This interrogation session lasted for approximately two to three hours.

58. On one occasion at Guantanamo, in the Spring of 2003, I was left alone in an interrogation room for approximately ten hours.
59. Around March of 2003, I was taken out of my cell at Camp Delta at approximately 12:00 – 1:00 a.m., and taken to an interrogation room. An interrogator told me that my brother was not at Guantanamo, and that I should “get ready for a miserable life”. I stated that he would answer the interrogator’s questions if they brought my brother to see me. The interrogator became extremely angry, then called in military police and told them to cuff me to the floor. First they cuffed me with my arms in front of my legs. After approximately half an hour they cuffed me with my arms behind my legs. After another half hour they forced me onto my knees, and cuffed my hands behind my legs. Later still, they forced me on my stomach, bent my knees, and cuffed my hands and feet together. At some point, I urinated on the floor and on myself. Military police poured pine oil on the floor and on me, and then, with me lying on my stomach and my hands and feet cuffed together behind me, the military police dragged me back and forth through the mixture of urine and pine oil on the floor. Later, I was put back in my cell, without being allowed a shower or change of clothes. I was not given a change of clothes for two days. They did this to me again a few weeks later.
60. When I was moved to Camp 5, I went on a hunger strike. I was very weak and could not stand. Guards would grab me by pressure points behind my ears, under my jaw and on my neck. On a scale of 1 to 10, I would say the pain was an 11. They would often knee me repeatedly in the thighs. Another time, when they took my weight, they pressed on my pressure points. I remember them videotaping me while they did this.
61. I continue to have nightmares. I dream about being shot and captured. I dream about trying to run away and not being able to get away. I dream about all that has happened. About feeling like there is nothing I can do. About feeling disabled. Besides my medical problems, the dreams are the worst right now. I continue to have back pain and pains in my joints.

62. I was first visited by lawyers in November of 2004. Before that, I had never been permitted to meet with lawyers.
63. In May 2005, they took all of my things including a calendar I had been keeping since sometime in 2004 regarding my treatment, events and other things. They never gave this back.

I solemnly affirm that all of the forgoing statements are true and complete to the best of my knowledge

Omar A. Khadr

OMAR AHMED KHADR

30th July 2008