

**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

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**AFFIDAVIT OF OMAR AHMED KHADR**

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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

was all I could focus on. I was in a tent hospital on a stretcher. There were two other detainees there with me, one had lost both his legs and often screamed for pain medication. The other detainee was an older man.

6. While at the tent hospital I was guarded day and night by pairs of soldiers. During the day, I was guarded by a young blond soldier who was about 25, and a Mexican or Puerto Rican soldier.
7. During the first three days I was conscious in the tent hospital, the first soldier would come and sit next to my stretcher and ask me questions. He had paper and took notes. During the first three days, they would shackle my feet and hands out to my sides with handcuffs when they did not like the answers I was giving to the questions. Due to my injuries, this caused me great pain. At least two of the interrogations during these first three days occurred when I was shackled by my hands and feet and in pain. I was unable to even stand at this time, so I was not a threat, and I could tell that this treatment was for punishment and to make me answer questions and give them the answers they wanted.
8. The Hispanic MP acted like he hated me, and would often shackle me and cause me pain. He would tell the nurses not to speak nicely or softly to me since he said that I had killed an American soldier. He would also insult me quite often.
9. There were no doctors or nurses present when I was interrogated. During the interrogations, the pain was taking my thoughts away. After I regained consciousness after being unconscious for a week, the first soldier told me that I had killed an American with a hand grenade. They would only give me pain medication at nighttime but the interrogations occurred during the daytime.
10. After about 2 weeks in the hospital I was immediately taken to an interrogation room at a military camp in Bagram. I was left in the room for about 1 hour by myself. Then someone came in and started interrogating me. This interrogation lasted for about 3 hours. It was a skinny white interrogator with glasses who seemed to be about 25 years old. He had a small tattoo on the top of his forearm. He wore desert camouflage pants but a different kind of shirt. They asked me all kinds of questions about everything and I don't remember all the questions today.
11. During this first interrogation, the young blonde man would often scream at me if I did not give him the answers he wanted. Several times, he forced me to sit up on my stretcher, which caused me great pain due to my injuries. He did this several times to get me to answer his questions and give him the answers he wanted. It was clear that he was making me sit up because he knew that it hurt and he wanted me to answer questions. I cried several times during the interrogation as a result of this treatment and pain.
12. During this interrogation, the more I answered the questions and the more I gave him the answers he wanted, the less pain was inflicted on me. I figured out right

away that I would simply tell them whatever I thought they wanted to hear in order to keep them from causing me such pain.

13. While detained in Bagram, I was held with other adult detainees in a building like an airplane hangar. I was still on a stretcher and still had holes in my body and stitching. I was kept with all the adult prisoners.
14. The soldiers at Bagram treated me roughly. I was interrogated many, many times by interrogators. For about the first two weeks to a month that I was there I could not get out of the stretcher and would be brought into the interrogation room on a stretcher.
15. During this time, my pain depended upon what I was doing. If I was just relaxing on the stretcher, the pain would be about a 4 or 5 on a scale of 1 to 10. If I was sitting up it was more severe. If I was treated roughly or if my wounds were touched, the pain would be a 10.
16. Everyday when I was at Bagram, five people in civilian clothes would come and change my bandages. They treated me very roughly and videotaped me while they did it.
17. On one occasion, interrogators grabbed and pulled me off the stretcher, and I fell and cut my left knee.
18. On some occasions, the interrogators brought barking dogs into the interrogation room while my head was covered with a bag. The bag was wrapped tightly around my neck, nearly choking me and making it hard to breathe. This terrified me. On other occasions, interrogators threw cold water on me.
19. Several times, the soldiers tied my hands above my head to the door frame or chained them to the ceiling and made me stand like that for hours at a time. Because of my injuries, particularly the bullet wounds in my chest and shoulders, my hands could not be raised all the way above my head, but they would pull them up as high as they thought they could go, and then tie them there.
20. They often made me sit up in the stretcher in order to create pain from my wounds. They knew it was painful for me because of my physical reaction and because I told them it was painful.
21. While my wounds were still healing, interrogators made me clean the floors on my hands and knees. They woke me up in the middle of the night after midnight and made me clean the floor with a brush and dry it with towels until dawn.
22. They forced me to carry heavy buckets of water, which hurt my left shoulder (where I had been shot). They were 5 gallon buckets. They also made me lift and stack crates of bottled water. This was very painful as my wounds were still healing.

23. On several occasions at Bagram, interrogators threatened to have me raped, or sent to other countries like Egypt, Syria, Jordan or Israel to be raped.
24. When I was able to walk again, interrogators made me pick up trash, then emptied the trash bag and made me pick it up again. Many times, during the interrogations, I was not allowed to use the bathroom, and was forced to urinate on myself. They told me that I deserved it.
25. Sometimes they would shine extremely bright lights right up against my face, and my eyes would tear and tear and tear. These lights caused me great pain, particularly since both my eyes were badly injured and had shrapnel in them.
26. Sometimes when they were questioning me, they would tell me that they would let me go free if I told them something that enabled them to catch someone big.
27. One time, an interrogator gave me a pen and paper and told me to write out my story. While I was writing, the Hispanic MP from the tent hospital came up to me, turned around and farted in my face.
28. I think that I was interrogated 42 times in 90 days. I have a memory of 42 times, but I don't recall where I received that number.
29. In Bagram, I would always hear people screaming, both day and night. Sometimes it would be the interrogators screaming at prisoners to stand up or sit down or not to sleep, and sometimes it was the prisoners screaming from their treatment. I know a lot of other detainees who were tortured by the skinny blonde guy. Most people would not talk about what had been done to them. This made me afraid.
30. An old man who was captured with me was also brought to the Bagram camp. I saw bandages and injuries on his legs from where he had been tortured. Later, one of the interrogators told me that this man had died.
31. One time before I left, I had my hands chained above my head to the ceiling, and the skinny blond interrogator with the tattoo told me that I was lucky that I had been injured, he would know how to "treat me," meaning he would torture me.
32. After about three months, I was taken to Guantanamo. For the two nights and one day before putting us on the plane, we were not given any food so that we would not have to use the bathroom on the plane. They shaved our heads and beards, and put medical-type masks over our mouths and noses, and goggles and earphones on us so that we could not see or hear anything. One time, a soldier kicked me in the leg when I was on the plane and tried to stretch my legs.
33. On the plane, I was shackled to the floor for the whole trip. When I arrived at Guantanamo, I heard a military official say, "Welcome to Israel". They half-dragged half-carried us so quickly along the ground off the plane that everyone

had cuts on their ankles from the shackles. They would smack you with a stick if you made any wrong moves.

34. They left me in a waiting area for about one hour waiting for processing. They then took me into a room where I was stripped naked and subjected to a body cavity search.
35. I was feeling a lot of back and chest pain from my injuries, and I was also dizzy from the travel, pain and lack of sleep and food.
36. Two soldiers then took charge of me, one was black and one was white. These two soldiers then pushed me up against a wall. One pushed my back into the wall with his elbow, and the other pushed my face into the wall. Although the goggles and headphones had been removed, the mask was still over my mouth and nose and it was difficult to breathe. They held me like this, and I could not breathe, and passed out. When they felt me falling they would start to relax, but then when I began to wake up, they would do it again until I passed out and began to fall again. They did this to me about 3 or 4 times. There were other prisoners there who were not being treated like this.
37. During processing, they gave me a 2-minute shower, took blood, fingerprints and photographs, including photos of my wounds.
38. I was taken to the Fleet Hospital, where I stayed for two days. While in the hospital, two interrogators came and interrogated me for six hours each day. One interrogator was in civilian dress clothes and I think he told me he was with the FBI. The other was in military camouflage. They asked me questions about everything. I don't think there was anything new. They had papers with them and they took notes.
39. I did not want to expose myself to any more harm, so I always just told interrogators what I thought they wanted to hear. Having been asked the same questions so many times, I knew what answers made interrogators happy and would always tailor my answers based on what I thought would keep me from being harmed.
40. After those first interrogations, I was put into segregation. These are cells with walls, and only a small window that you can't look out of – the window just lets you know if its day or night. There is no human contact.
41. I would often be moved around depending on whether or not I had been cooperating with the interrogators.
42. I was not provided with any educational opportunities, no psychological or psychiatric attention, and was routinely interrogated.

43. While at Guantanamo, I have been visited on numerous occasions by individuals claiming to be from the Canadian government. These included four visits in the course of four days in a row, starting on March 27, 2003.
44. The first visit was by a group of three people: two men, one in his mid-30s and a second, older man, perhaps in his 70s, and a woman about 40-50 years old. The visitors introduced themselves as Canadians. They stated that they knew my mother and grandmother in Scarborough, Canada. We met in a special conference room, rather than the usual interrogation room, and this room was more comfortable. We met for approximately 2-3 hours. Rather than asking me how I was, the visitors had a lot of questions for me.
45. I was very hopeful that they would help me. I showed them my injuries and told them that what I had told the Americans was not right and not true. I said that I told the Americans whatever they wanted me to say because they would torture me. The Canadians called me a liar and I began to sob. They screamed at me and told me that they could not do anything for me. I tried to cooperate so that they would take me back to Canada. I told them that I was scared and that I had been tortured.
46. They came back three more days but I did not sob because they had no sympathy. They asked me about people, such as my father and Arar. They showed me pictures and asked who people were. I told them what I knew.
47. During this second visit, the visitors showed me approximately 20 pictures of various people, and asked me to identify them. The Canadian visitors never asked me how I was feeling or how I was doing, nor did they ever ask if I wanted to send a message to my family.
48. The next day, the two Canadian men who had visited me returned. I told them that if they were not going to help me then I wanted them to leave me alone.
49. On the third visit by the Canadians, I told the Canadian visitors that I wanted to return to my country, Canada, and that I would speak with them there.
50. After the Canadians left and I told the Americans that my previous statements were untrue, life got much worse for me. They took away all of my things except for a mattress. I had no Koran and no blanket. They would shackle me during interrogations and leave me in harsh and painful positions for hours at a time. One navy interrogator would pull my hair and spit in my face.
51. Approximately one month before Ramadan in 2003, two different men came to visit me. They told me that they were Canadian. One of the men was in his 20s and the other in his 30s. These two men yelled at me and accused me of not telling the truth. One of the Canadian men stated, "The U.S. and Canada are like

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  
30<sup>th</sup> July 2008