

Summary of Administrative Review Board Proceedings for ISN 691

The Administrative Review Board was called to order.

The Detainee entered the proceedings.

Presiding Officer: Good afternoon, sir. Do you pronounce your name Mohammed Zarnuki?

Detainee (*through translator*): Yes.

Presiding Officer: Would you like to be addressed as Mohammed or Mr. Zarnuki?

Detainee (*through translator*): Mohammed.

Presiding Officer: Mohammed?

Detainee (*through translator*): Yes.

Presiding Officer: Mohammed, welcome to this Administrative Review Board.

Detainee (*through translator*): Yes.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Designated Military Officer (DMO) was sworn.

The Board Reporter, Translator, Assisting Military Officer (AMO), and Board Members were sworn.

The Presiding Officer asked the Detainee if he wishes to make his statement under oath (Muslim oath offered).

The Detainee declined taking the Muslim oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

Detainee (*through translator*): Yes, I understood it, but I want to say something. I have a message. I came to this ARB to deliver a message to the government. I wish you would give me the opportunity to do that.

Presiding Officer: Let me stop you for a minute. You will be given an opportunity to make an oral statement before we conclude. We do have a process we need to go

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through. You will have an opportunity to make an oral statement before the conclusion of this hearing.

Detainee (*through translator*): Yes. The main thing is to give me enough time.

Presiding Officer: You will have enough time.

The Assisting Military Officer presented the Notification of the Decision of the Administrative Review Board Form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The Detainee's ARB interview was conducted on 24 August 2006. After reviewing the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he wanted to think about attending the ARB. The Detainee was very cooperative, attentive and polite throughout the interview. Copies of both the English and Arabic translated Unclassified Summary were provided to the Detainee, who accepted the Arabic version. On 25 August 2006, the Detainee appeared at his follow-up interview wearing a tan uniform. When asked if he wanted to attend his ARB, the Detainee stated he would attend the ARB and wished to respond to each statement of information in the Unclassified Summary of Evidence after it is presented.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and DMO-2 to DMO-3 to the Administrative Review Board.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.

Detainee (*through translator*): I will answer the questions that were not answered in ARB 1 or ARB 2, but I will not answer the questions I answered before.

Presiding Officer: That's fine.

Designated Military Officer: (3.a.1) The detainee met twelve Tabligh missionaries who encouraged him to become a missionary and go on a Tabligh with them.

Detainee (*through translator*): I answered this before, but I want to explain something. What is Tabligh? And why do Muslims take al Dawa? It is not the way you understand it. Al Dawa is for all Muslims to follow, specifically the ones that know about it. It tells people to worship just God, not to worship other people. That is al Dawa.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.2) Two months later, the Detainee went to the al Huda Mosque, also known as al Dawa, in the village of al Hudayda. There, the Detainee met a Sheik who also encouraged him to go on Tabligh.

Detainee (*through translator*): This one, as the first one, I answered before in the previous ARB.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.3) Some al Qaida members had joined the al Dawa al Tabligh religious organization, which was well known for its support of jihadist causes. Al Dawa al Tabligh, is most likely identifiable with the Jamaat al Tabligh, an Islamic missionary organization based in Pakistan, and used to mask travel and activities of terrorists.

Detainee (*through translator*): Do you want me to elaborate on this one? The Sheiks that are the head of the Jamaat al Tabligh would know if there's anybody from al Qaida associated with them. I don't know. I don't know the people so I can't tell who is or who is not al Qaida.

Presiding Officer: Thank you.

Designated Military Officer: (3.a.4) A source claimed to have seen the Detainee on the Taliban front lines around late 1999 to early 2000.

Detainee (*through translator*): As I have said before, I have been asked about the year 1999 a lot. In 1999, I was in many different places. I explained this in the last ARB.

Presiding Officer: This stated late 1999 and early 2000.

Detainee (*through translator*): In the last ARB, they said I was the head of one of the guesthouses. They repeated the same story that I was training in 1999 and that I was working as a carpenter. They said about a lot things in 1999.

Presiding Officer: In late 1999 and early 2000, were you on the front lines fighting?

Detainee (*through translator*): No.

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Presiding Officer: Where were you?

Detainee (*through translator*): In Yemen.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.1) The Detainee traveled via public bus to Lahore, Pakistan and went by taxi to the Raywand Mosque, which is about 20 kilometers outside of Lahore, Pakistan. For two months, the detainee accompanied ten other missionaries, where they traveled from mosque to mosque.

Detainee (*through translator*): I answered this before.

Presiding Officer: Okay. Thank you.

Designated Military Officer: (3.b.2) The Detainee then joined a different group of 12 missionaries and went with them to Islamabad, Pakistan where they traveled for two months from mosque to mosque.

Detainee (*through translator*): I have also answered this before.

Presiding Officer: Do you remember what year you traveled from mosque to mosque?

Detainee (*through translator*): I've been here almost five years. I don't know in what year the Pakistani authorities arrested me. I don't know if it was 2001 or 2002. I don't remember the date so I cannot answer.

Presiding Officer: Was it after the 9/11 attack?

Detainee (*through translator*): All I remember is that it was during Ramadan. I was in Raywand with the Tabligh, but I don't know if it was before 9/11/2001 or after.

Presiding Officer: Thank you.

Detainee (*through translator*): It was the month of Ramadan, but I don't remember the year.

Presiding Officer: That's fine.

Designated Military Officer: (3.b.3) The day the Detainee returned to the Raywand Mosque, he got his money and passport and traveled to Faisalabad, Pakistan and enrolled at the Salafeyah University. While attending this school, the Detainee lived at an off-campus house with approximately 16 other students.

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Detainee (*through translator*): I answered this in detail in the last ARB.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.4) A source identified Raiwind, also spelled Raiwand, as the world center for the Jamaat Tabligh.

Detainee (*through translator*): I don't know if it was Raiwind, but there was a place for Tabligh in Raiwind. I don't know if it was an international center, but they had meetings for people from all over the world. I don't know that much about it.

Designated Military Officer: (3.b.5) A source stated that the Jamia Salafia School taught the Sunni School of Thought and was located in the city of Faisalabad, Pakistan. Only religious subjects were taught.

Detainee (*through translator*): I also answered this before. I never registered. I just came to visit and look at that university. Before I registered my name with the university, the Pakistani authority arrested me.

Designated Military Officer: (3.b.6) According to a senior al Qaida operative, he first met the Detainee in early 1999 at an al Qaida village near the Kandahar, Afghanistan airport.

Detainee (*through translator*): The year 1999 is coming back to me. As I had told before, I never entered Afghanistan and I don't know anything about Afghanistan. I answered this in the last ARB.

Designated Military Officer: (3.b.7) A source identified the Detainee as being a member of al Qaida due to his association with the Kandahar, Afghanistan airport. The source claimed that it was well known that those individuals associated with the Kandahar, Afghanistan airport were automatically associated with being a member of Usama bin Laden's group.

Detainee (*through translator*): I wish I could face this source so I can talk to them. I said many times in the other ARB, and I'm still saying it, I did not go to Afghanistan. The Pakistani authority arrested me while I was in Pakistan. You know that very well.

Presiding Officer: What is your opinion of bin Laden and al Qaida?

Detainee (*through translator*): I don't have an opinion, but the head of the religion can tell you. We are illiterate. We don't know anything. All we are doing is just to know about our religion. We don't know anything about Usama bin Laden or others. The head

of the religion, like the Sheiks, they are the ones that would know. Whatever they say is right.

Presiding Officer: Did you say you were illiterate? Do you know how to read and write?

Detainee (*through translator*): No, I can read and write.

Detainee (*through translator*): But I don't know that much about my religion. That's why I called myself illiterate.

Presiding Officer: But you are not illiterate like you said?

Detainee (*through translator*): I am not.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.8) A source identified Usama bin Laden's compound in Kandahar, Afghanistan called al Matar, which meant the airport.

Detainee (*through translator*): I don't know anything about it, but maybe the source would know. Maybe the source knows about it, but for me, I have never been in Afghanistan.

Designated Military Officer: (3.b.9) A source identified al Farouq, al Matar, and Aynak as the three al Qaida military training camps.

Detainee (*through translator*): The source knows better. As I had said before, I don't know about Afghanistan and I don't want to say about something I do not know about.

Presiding Officer: Have you ever received military training anywhere?

Detainee (*through translator*): No.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.10) A senior al Qaida operative thought the Detainee had already completed training in Kabul, Afghanistan by the time he met him in 1999. The al Qaida operative claimed that the Detainee remained in Kandahar, Afghanistan for several months and then returned to Yemen in about the spring of 1999.

Detainee (*through translator*): The year 1999 comes again. This paragraph is not right.

Presiding Officer: But different sources identified him being in Afghanistan. How does he account for that?

Detainee (*through translator*): That's not right. Maybe someone that looked like me or maybe during the torturing, I said it.

Designated Military Officer: (3.b.11) A senior al Qaida operative claimed that he next saw the Detainee at Mes Aynak Camp in the fall of 1999. The Detainee was not a student at Mes Aynak. Rather, the Detainee served as a carpenter and was busy constructing structures on the base.

Detainee (*through translator*): If you, the ARB members, would put the date 1999 in front of you and look what it is saying in that paragraph. The source said that, at the end of 1999, I was in the front lines and, at the same time, he said he saw me in the village and that I finished my training in 1999. The source repeated one more time that I went back to Yemen in 1999. He then repeated that I was working as a carpenter in 1999. It is just one year. Does that make sense? A person can train, work as a carpenter, and goes back to Yemen in one year? You are an Army person. How many years have you trained? Can you finish your training in one year, and go fight, and work as a carpenter, and go back to your country, doing all of these things in one year?

Presiding Officer: I think we got your point.

Detainee (*through translator*): They were specific. They said they saw me in Kandahar in early 1999, in the front lines at the end of 1999, and at this camp in the autumn of 1999. If that was right, how about the training? Did I train for one day? In Yemen, if you go for training, you would go for four years. And in here, in one year, you can do everything? I don't think anybody would accept that.

Presiding Officer: Thank you.

Designated Military Officer: (3.b.12) A source identified the Detainee from a photo book as being in charge of a guesthouse in Kandahar, Afghanistan.

Detainee (*through translator*): As I had said before and I'm still saying now, I don't know Afghanistan. I have never entered Afghanistan.

Designated Military Officer: (3.b.13) According to a senior al Qaida operative, he first saw the Detainee in Kabul, Afghanistan. And the last time he remembered seeing him was in Kandahar, Afghanistan. The source claimed that the Detainee spent a lot of time at an individual's house in Kabul at the front lines.

Detainee (*through translator*): As I had said before, I don't know Afghanistan. I wish you would bring that guy so I can talk to him. Maybe I look like somebody he knows.

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Designated Military Officer: (3.b.14) A source claimed that the house the Detainee spent a lot of time in Kabul, Afghanistan was the house of the individual in charge of Usama bin Laden's personal security after the United States air strikes in Afghanistan.

Detainee (*through translator*): As I had said before and I am telling you now, I never entered Afghanistan.

Designated Military Officer: (3.b.15) A source identified the Detainee as Gulaybib and stated that he met the Detainee at a market in Kabul, Afghanistan and at the Afghanistan-Pakistan border.

Detainee (*through translator*): As I had said before and I am still saying, my name is Mohammed. I never changed my name. You have my passport; look at it.

Designated Military Officer: (3.b.16) A source knew the Detainee as Gulaybib and was among a group of Arabs traveling from Zurmat, Afghanistan to Bannu, Pakistan.

Detainee (*through translator*): As I had said, my name is Mohammed Ali Sadam Zarnuki. I do not have another name and I never entered Afghanistan. I do not know Afghanistan.

Designated Military Officer: (3.b.17) While attending the Salafeyah University, the Detainee lived at an off-campus house run by a Pakistani. The Detainee had been staying at this house for about one and a half months when the Pakistanis arrested everyone in the house.

Detainee (*through translator*): If you meant that I was in that house to get some treatment, with the hope to register in that university but did not, then that's right. If you mean something different, that is not right.

Presiding Officer: Were you in the house for a month and a half?

Detainee (*through translator*): Yes.

Presiding Officer: Do you have any idea why the Pakistani authorities arrested everybody in that house?

Detainee (*through translator*): I know the government of Pakistan would gather the Arabs to sell them to the Americans for \$5,000 per person. The evidence for that is, when they arrested me and the others, they took all our money and possessions. When they took us here in Guantanamo, we asked if the money were still there. Most of the money didn't make it here. So the Pakistani government made money twice, from our pocket and from your pocket. The Arab people were used to make the Pakistani government stronger by getting money. In spite of everything, the Pakistani government

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knows exactly 100 percent that we are not terrorists. I was in Pakistan for five and a half months and nobody bothered me and nobody arrested me, except that day.

Presiding Officer: How many others were arrested that day from that house?

Detainee (*through translator*): I don't remember the number, but maybe there were 16, as mentioned here, or 14.

Presiding Officer: Did the house have a name?

Detainee (*through translator*): No. But they said it belonged to the university.

Presiding Officer: And how much money did you have on you when you were arrested?

Detainee (*through translator*): I had 800 American dollars.

Presiding Officer: What denominations?

Detainee (*through translator*): Six hundred and fifty American dollars and 50 American dollars converted to Pakistani currency. They were 100-dollar bills and one 50-dollar bill.

Presiding Officer: So you had six 100-U.S. dollars?

Detainee (*through translator*): Yes, and one 50-dollar bill. I had another 50-dollar bill that was converted into Pakistani money. When I entered Pakistan, there was \$800. When they arrested me, I had 650 American dollars and \$50 converted to Pakistani currency.

Presiding Officer: How did you get these 100-dollar bills? Who provided you with these 100-dollar bills?

Detainee (*through translator*): The whole world had American dollars. If you need to have a million dollars, you can get it in any third world nation. Even if you go to Somalia, you'll find it. It's not hard to get it.

Presiding Officer: Thank you.

Designated Military Officer: (3.c) An al Qaida operative identified the Detainee as an attendee of a meeting at Kandahar, Afghanistan with Usama bin Laden, a senior al Qaida operative, and about 25 other Yemeni and Saudi individuals. The meeting took place more than a month after the bombing of the U.S.S. Cole and they discussed attacking another ship or a plane that accompanied the ship.

Detainee (*through translator*): Actually, there are some questions that I cannot answer, but I will tell you, as I had said before, I did not get inside of Afghanistan. I don't know Afghanistan.

Designated Military Officer: (3.d.1) The Detainee went to the Pakistan Embassy in Yemen twice to obtain a visa. Both times the Detainee was denied and accused of being a terrorist.

Detainee (*through translator*): Nobody accused me. If I were a terrorist, they would put me in jail. But at that time, they had an idea that terrorists were looking for visas. They refused to give me a visa and they also refused to give it to the others. I was not the first or the last to be refused for a visa. When they opened the door to allow giving out visas, they gave me one, as well as the others.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.2) The Huda Mosque's Sheik provided the Detainee with a letter for the Pakistani Embassy identifying the Detainee as a missionary so that he could obtain a visa.

Detainee (*through translator*): I answered this question before. It is not necessary to repeat the answer.

Designated Military Officer: (3.d.3) A source stated that he had seen the Detainee in a Kandahar, Afghanistan guesthouse in April or May of 2001. The guesthouse was simply known as the Arab House and is located in the Hajji Habash district of Kandahar, Afghanistan.

Detainee (*through translator*): I answered this before.

Designated Military Officer: (3.d.4) A source stated that the Detainee led five prayers every other day. Then the Detainee would preach about jihad and recite verses from the Koran while in a guesthouse in Kandahar, Afghanistan.

Detainee (*through translator*): I never entered Afghanistan and I cannot memorize the Koran.

Presiding Officer: Did you ever preach jihad?

Detainee (*through translator*): I never did that, not jihad or anything else.

Presiding Officer: Thank you.

Designated Military Officer: (3.d.5) The same source claimed that the group then traveled to a school near Barmal, Pakistan. The school in Barmal was described as a madrassa that was owned and operated by Jamiat Ulema e Islami. The school was being used by many different groups of foreigners passing through Barmal on their way to Pakistan.

Detainee (*through translator*): I don't know about Barmal but the one thing I know is that I was in Lahore with the Tabligh group. I don't know the name of the mosque.

Designated Military Officer: (3.d.6) The Jamiat Ulema e Islami is a radical Sunni religious-political party best known for its anti-United States threats, vocal support of Usama bin Laden and sponsorship of some 3,000 religious schools.

Detainee (*through translator*): You should introduce this question to the head of Islam; they know better. I don't know anything about it. I was a foreigner. I don't speak their language. So I wouldn't know anything about it.

Designated Military Officer: (3.d.7) When presented with the eye witness accounts placing him in Afghanistan over the period of about two years, the Detainee advised they were mistaken. However, when pressed about telling the truth, the Detainee slipped when he said, "If I tell you the truth, you are just going to ask me about everywhere I have been."

Detainee (*through translator*): They never introduced such things to me; that's the reason I couldn't tell. I said something I didn't know while I was being tortured. I never said that. When they put pressure on me, which was a part of torturing, I said something, but I don't remember it now.

Presiding Officer: Who's "they" that put pressure on you?

Detainee (*through translator*): Interrogators in Bagram and here. Evidence of torture is the pain in my back. I never got treatment for that. I think something in my spine is broken. I was also psychologically tortured. We have been getting tortured until this day.

Presiding Officer: Are you talking about psychological or physical?

Detainee (*through translator*): I'm talking about everything, but mostly psychological. The other tortures ended with the end of interrogations.

Presiding Officer: Thank you.

Designated Military Officer: (4.a) The Detainee denied he had ever traveled to Afghanistan.

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Detainee (*through translator*): This is the truth.

Designated Military Officer: (4.b) The Detainee denied having been on a Tabligh in the Lahore area with any of the men he lived with at the Aysa House.

Detainee (*through translator*): I did not see anybody in that house with a Tabligh. Maybe with another group, but I never met them. So I don't know. I did not see any one of them in Lahore. I saw them at the House.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Sir, earlier, the Detainee stated he would like to make an oral statement.

Presiding Officer: Mohammed, you can make your oral statement at this time.

The Detainee made the following statement:

Detainee (*through translator*): In the name of God, the most merciful, do not harm the guilty people. What I want to say to the ARB is in the subject of praying, which is never respected until this minute in the cells. I want you to tell the American administration. It's open now for the guards to hurt us during our prayers and in religious matters in general. When we ask for somebody in charge, the one who is in charge would deny bringing in the higher person in charge. The higher person in charge would just pass by us in the cells. We would call on him, talk to him, and he would answer, "This is allowed," and he would never stop. The wrongdoing now is, number one, when we pray, they would get to the young people and cause trouble with them while they are praying. This is happening a lot. Number two, when they let us to go out for walks, and praying time comes, the guards would take us inside the cells. We would tell them, "This is praying time. We cannot move." They would stop for 10 or 15 minutes and the guards would refuse that. The guards would say, "I refuse, I refuse, I refuse." They would let us go inside the cells and start trouble. When praying starts, this is repeated. It happened last week twice. We called for the person in charge and he said, "This is allowed now. We cannot stop moving during praying time." Does the new law say to not respect the religion or what? I want to give this question to the American administration. The third thing is, they do not let us pray as a group. They would hurt the young Detainees.

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Presiding Officer: I want to say one thing real quick. We will pass this information to the appropriate authorities, but this Board has nothing to do with the camp rules.

Detainee (*through translator*): Because I do not have a lawyer to pass this information, if you could give this message to the American administration.

Presiding Officer: We will give this message, but I just want you to know that we do not make the camp rules and we have nothing to do with the camp rules.

Detainee (*through translator*): As a member of the ARB, I ask that you look at it. I want you to deliver this message because the guards are hurting us. The guards won't let us pray together as a group and they would lie to the Detainees. They would say that the Detainees pushed or pulled them or something like that, which is lying, and then they would put us in separate cells. If you don't look at these problems, as the ARB here, maybe we will face a big problem like before. We know you don't need any problems. How long do you want me to wait while the guards are punishing us and accusing us of doing things we didn't do? I know you have nothing to do with this but, please, I am giving you this message; just deliver it for me.

Presiding Officer: It will be delivered.

Detainee (*through translator*): Good. That's the message I wanted to say to you.

Presiding Officer: Mohammed, does this conclude your statement?

Detainee (*through translator*): It is just a message, as I had said before. I want you to be aware of it because I don't want you to face a big problem. The problem happened before. The Detainees took medication before because of this. So if you do not put a stop to this, it is going to be worse than before. I just wanted to let you know what is happening now.

Presiding Officer: Primarily, if you are in a movement and it's praying time, you have to continue your movement. You are not allowed to stop to pray; is that right?

Detainee (*through translator*): Yes.

Presiding Officer: And sometimes, when you are praying, the guards interfere somehow?

Detainee (*through translator*): Yes.

Presiding Officer: I understand.

Detainee (*through translator*): We are walking. During the time of walking, it's over, but it's time for praying.

Presiding Officer: Right.

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Detainee (*through translator*): During that time, we would get inside where the others are held and praying. It's a problem because, when they take off our cuffs, it makes noise. When we walk, it makes noise. And the guards would whistle. That is a problem for the people praying inside. I know that, when it is time for praying, we stop moving and we start praying, but the guards are not respecting this rule.

Presiding Officer: I understand.

Detainee (*through translator*): When we see one of the people in charge walking around, we would talk to him and he would say, "Talk to the guards." We would say, "My problem is with the guards. How can we solve this problem with them?" So because of that, we create problems with the guards. They know what problems we create. We can create a lot of problems. I am cautioning you about this. Please do not let the guards keep doing what they are doing now. I just wanted to let you know what has been going on before it is out of hands.

Presiding Officer: I understand. Does that conclude your statement?

Detainee (*through translator*): I don't have anything else to say?

The Assisting Military Officer did not have further exhibits or information to be presented on behalf of the Detainee to the Administrative Review Board.

The Assisting Military Officer did not have any questions for the Detainee.

The Designated Military Officer did not have any questions for the Detainee.

The Administrative Review Board Members did not have any questions for the Detainee.

Presiding Officer: Did you say you were in Pakistan for five and a half months?

Detainee (*through translator*): Four months with a Tabligh and one and a half months at the House. So that's five and a half months.

Presiding Officer: Did someone pay for your travel to Pakistan?

Detainee (*through translator*): No.

Presiding Officer: How did you support yourself when you were in Pakistan?

Detainee (*through translator*): I had money I brought with me from Yemen.

Presiding Officer: Where is your family located now?

Detainee (*through translator*): In Yemen.

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Presiding Officer: How would you support yourself if you were transferred back to Yemen?

Detainee (*through translator*): I have farms. I would go back to my farms.

Presiding Officer: How do you think the Yemenis government would treat you if you returned back?

Detainee (*through translator*): I don't have any problems so I'm not scared. The government of Yemen will treat me like any other citizen.

Presiding Officer: Thank you very much.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



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